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THE
Commonweal

Democracy and the Court

Walter Dean Burnham

The Innocence of U. S. Steel

Charles Owen Rice

The Intellectual Two-Party System *Wilfrid Sheed*

Pop Art and the Short Story *William James Smith*

Quantitative Liberalism *William V. Shannon*

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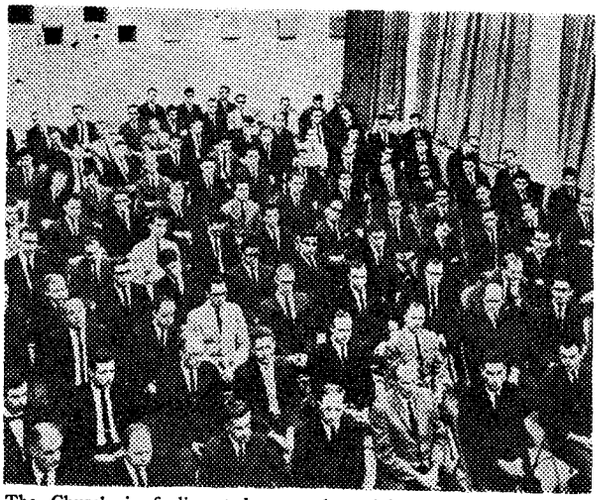

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THE COMMONWEAL

A WEEKLY REVIEW OF PUBLIC AFFAIRS, LITERATURE AND THE ARTS

Goldwater and the State

AS THIS is being written, on the eve of the balloting in San Francisco, the political polls are particularly interesting. They suggest that Senator Goldwater—opposed by nearly two-thirds of both Republicans and independents—might not carry the popular vote in November even if no Democrats go to the polls at all. According to the Lodge forces, the Goldwater-dominated Republican National Committee stopped opening mail from rank-and-file Republicans more than a week ago because it was running 3-to-1 against Goldwater. That statistic has the ring of truth to it, and seems an adequate commentary on the death-wish psychology of nominating a minority choice of a minority party to lead a charge on the White House by a motley array of discredited radical right-wing forces.

But after nomination, the apparent fact that a candidate is unresponsive to the voters is not much of an argument. That, after all—as Senator Goldwater has observed—will be judged at the polls. The time for "mainstream" arguments has passed, and the analysis, hopefully, will turn to the Senator's qualities of mind and spirit. Far less work has been done here than on the right-wing frustrations that the Senator is trying to harness.

The Senator has the usual right-wing suspicion of the federal government. "Throughout history," he says, "government has proved to be the chief instrument for thwarting man's liberty." The state, he believes, should promote freedom by removing obstacles to trade and normal human social arrangements. But it has no positive role at all. He has told the Los Angeles *Times* that those who would use government to promote the welfare of the masses are "radical liberals," since "the growth or improvement of society cannot be found in rules or regulations enforced through the compulsion of a governmental or social organization." Goldwater has always indignantly denied being a radical, but it is difficult to see what other word could be used to describe a candidate who thinks "rules and regulations" cannot be passed to promote "the growth or improvement of society."

GOLDWATER often speaks as though freedom and authority are mutually exclusive. Since man "is responsible for his own development" and "cannot be directed by outside forces," the Senator says, man must be free from the state's compulsion, for compulsion is the enemy of freedom; it is the device used by misguided liberals who regard the masses as incapable of solving their own difficulties, "of meeting their own destinies." Social Darwinism peeks through here, since liberal governments mitigate the struggle that all men are intended by God to enter into on their own. Government action only succeeds in causing men to "grow soft" and decay into "a dependent society." Whether these views have any relation to the problems of unemployed Puerto Ricans in New York, the miners of Appalachia or the disfranchised Negroes of Mississippi will presumably be settled at the polls in November.

To hold this kind of view of the role of government, it is not only necessary to ignore the growing complexity of society, but to argue that men do not reflect conditions external to themselves—which, obligingly enough, Goldwater *does* argue. "Men, not conditions," he says, "are responsible for our progress or decay." It would seem, then, that when government acts to create conditions for the betterment of individual citizens, as during the Depression or in Appalachia today, it robs individuals of the right to face a hopeless situation alone.

As has been pointed out, Goldwater's views of the state roughly fit those of the nineteenth-century frontiersman who relied on his ax and Bible, who did not turn to Washington to create the conditions of prosperity, and who could not conceive of a regional, much less a national economic or social paralysis of the kind that ushered in welfare legis-

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lation. The frontier offered danger, but it also offered character-building struggle and spectacular rewards for the strong. The federal government was remote, and structural problems had not yet blemished American society.

The conservative principles that were good enough for those days are good enough for 1964, because they have been "established by a process that has nothing to do with the social, economic and political landscape that changes from decade to decade and country to country" (*Conscience of a Conservative*). Applied univocally to every age and society, Senator Goldwater believes, these principles dictate a minimalist federal government that cannot actively promote the general welfare, since it is part of the eternal plan that individuals be left free to seek their own good. And there's no use railing against these ideas, because as Barry explains in his book, they are based on the laws of God and nature, which, he notes, have no dateline.

The Castro Proposal

AT FIRST GLANCE, Fidel Castro's recent offer to negotiate differences with the United States provides the U.S. with a welcome opportunity to reorient its policy of opposition to the Havana regime, a policy our European allies consider rigid, American right-wingers consider wavering, and numerous uncommitted nations consider bullying. Castro has offered to stop supplying arms to Latin American *fidelistas* and to initiate talks on indemnification for seized American property. In exchange, the U.S. is to reopen trade channels and cease to support rebel exile forces.

The Cuban offer should be and probably will be carefully perused once U.S. elections are out of the way (and Castro is willing to wait). But at a second glance, heated enthusiasm for the proposal cools to moderate interest. Some hard questions must be asked—and answered—about the nature of the Castro regime before the U.S. can respond to this opening toward *rapprochement*.

Politically and militarily, Castro is in firm control of his nation. Those exile and underground elements with a political doctrine at all viable in any sort of hypothetical post-Castro Cuba are in disarray, as witness the *opera buffa* capture of Manuel Ray. But Cuba's economy is far from stable, dissatisfaction is widespread, and Castro surely knows from his own rebel experience what the U.S. ought to have learned: that the fortunes of exile and underground movements can change suddenly and dramatically. By opening trade channels with the United States and securing U.S. abandonment of all exile forces, Castro hopes to strengthen and stabilize his economy and to eliminate any threat of rebellion; in short, to guarantee the permanence of his revolution.

Should the United States ensure the permanence of the Castro regime? Despite a host of other diplomatic considerations, ultimately this is the question on which the U.S. must base its response to the latest Cuban appeal. This question, of course, breaks down into a number of other questions.

Is the present regime in Cuba a totalitarian one—to be opposed in principle in spite of diplomatic embarrassments? Castro himself has admitted that "something under 15,000" political prisoners are now being held, roughly one political prisoner for every 450 Cubans; and the figure is most likely considerably higher. Cuban exiles have brought news of labor camps, and the existence of one such camp has been noted in the Cuban press—the government has refused to allow investigation by the International Red Cross. On the other hand, the churches are open (though history indicates that this alone is not a litmus test for totalitarianism); and a modicum of artistic freedom is in evidence. Authoritarian dictatorships turn totalitarian when terror becomes embedded in the daily life of the people, becomes structured into the process of government. Whether this is the case in Cuba awaits more conclusive reporting. An ill omen was Castro's remark last February that "the Revolution needs the enemy."

Will the Cuban revolution "evolve"? Will it eventually institutionalize its political processes, protecting individuals against arbitrary uses of power? Significantly, Castro's move toward *rapprochement* was accompanied by a declaration of a target date (January 1, 1969) for substituting a constitutional government for the present revolutionary one. Such a constitution, however, might well be meaningless.

U.S. policy toward Cuba at present is confusing, wearying, and in some circles, both right and left, "unfashionable." We should pursue Castro's offer. But there is no gain in exchanging present difficulties for effective support of either a totalitarian regime or another Caribbean tyranny.

SUMMER SCHEDULE

In keeping with the usual practice, The Commonweal will again appear on alternate weeks from the middle of July to the middle of September. Forthcoming issues will be dated August 7, August 21, September 4 and September 18. From then on The Commonweal will resume its normal weekly printing schedule.

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End of Bobby Baker?

THE REPUBLICAN minority on the Senate Rules Committee complains that the Democratic majority refused to call certain key witnesses in the Bobby Baker case and refused to pursue suggestions that high-priced call girls played a prominent part in Mr. Baker's business operations. No doubt many Democrats will insist that the GOP members were interested only in sex and scandal and the lurid headlines that might result and that might have been used to hurt the Democratic party. And no doubt there is much truth in this; the Republicans would probably not have been unduly upset if the scent of a sex scandal had arisen to plague Lyndon Johnson and the Democrats this year. But whatever the motives of the Republicans, mixed or otherwise, the action of the Democrats in preventing further investigation of the Bobby Baker case is not reassuring.

We are not suggesting that Mr. Baker be tried in the newspapers. He is entitled to his full legal rights, including the one he has already taken advantage of, the right to keep silence lest he incriminate himself. This does not, however, mean that other Democrats are entitled to use their superior numbers to keep the full facts from becoming public. Yet this is exactly what the majority of the Senate Rules Committee did in voting an official end to the Baker hearings.

Mr. Baker is said to have piled up something like $2 million while a Senate employee making a salary of less than $20,000 a year—and while he was quite close to the then Majority Leader Lyndon B. Johnson. If inside information can lead to this kind of profit-making, for either a Senator or a Senatorial employee, the voters are entitled to know about it. The Democrats, of course, are convinced that the Baker case buried, no matter how, is less troublesome than the Baker case above ground, and as things stand now, the affair is for all practical purposes dead. Nonetheless, it is our hope that public reaction to the manner of its demise will show Democratic leaders that their present judgment is wrong and that the burial of the Baker case is even more risky politically than the full truth. Then, and only then, apparently, will we get what is needed—the full story.

WASHINGTON REPORT

Quantitative Liberalism

THE DESPERATE efforts of the liberal Republicans to exploit the drafting of the party platform for the purpose of forcing a floor fight with the Goldwater partisans attracted more attention to that prolix document than it usually receives at GOP conventions. The Democrats, because they are a more diverse coalition, have more experience in waging floor fights over platforms. The narrowly unsuccessful attempt to insert a plank denouncing the Ku Klux Klan in 1924 and the successful substitution of a stronger civil rights plank in 1948 are two of the more dramatic examples of such past struggles.

One does not have to agree entirely with New York's Senator Jacob Javits to understand that platforms are important. Javits told the Republican Platform Committee in San Francisco last week that "the platform, at best, should be a profile of our party; an order of battle for our nation; a blueprint for the years ahead; and our commitment to the nation's voters. It is the one document which gives our party its historic institutional character and its force as an agent of creative partisanship. It is, in short," Javits concluded, "the 'soul' of our party."

A platform is important if only as a litmus test indicating political change. One can contrast, for example, the GOP platform on which Herbert Hoover ran for re-election in 1932 and the one on which ex-Democrat Wendell Willkie ran in 1940 and trace how the opposition party strove to come abreast of the social revolution of the New Deal years.

Although all platforms pretend to be forward-looking, they are, contrary to Javits' description, usually backward-looking documents. This is because platforms are largely statements of the demands of the agglomerations of interest groups that make up the two parties. A problem or an issue has to be immediately at hand and take a specific shape before a region or a group realizes that it has an interest in the outcome and begins agitating for a particular position. It is traditional in our country that only the third parties produce platforms that address themselves to emerging problems and to the future and that, therefore, can be read by later generations with some interest. Third parties are in revolt against the status quo and give greater relative weight to reformist intellectuals than to spokesmen for interest groups. The Populist Party platform of 1892 and the Progressive Party platform of 1912 forecast in many respects the social welfare state of today.

Since there is no strong third party in the field this year, except for the miserable assemblage rallying around the "whites only" flag of Gov. George Wallace, the prospect is not very encouraging that any of this

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year's platforms will provide much guidance on the real issues that are already pressing upon us.

On the domestic scene, many of these issues come under the heading of what has been called "qualitative liberalism." After the 1952 Democratic defeat, the intellectuals in the party tried to create a new liberal program that would meet the needs of Adlai Stevenson's time as the New Deal programs had met those of Franklin D. Roosevelt's. This effort resulted in Stevenson's program for a "New America" in 1956. Unfortunately, these erudite and earnestly prepared papers remained unread by everyone except the composing room staff of the New York *Times* who set them all in type. By 1960, the onset of a new decade inspired a fresh effort. The nation could scarcely face the challenge of the "soaring sixties" with the hand-me-down policies of the thirties. Out of this effort came John Kennedy's "New Frontier." It was never clear whether the New Frontier was a destination for the nation or a program for getting there or a place where, willy-nilly, technology and other impersonal forces had already brought us. The term was used confusingly in all three senses, but the impulse behind the phrase was clear. In 1964, President Johnson has given the "New America" and the "New Frontier" yet another semantic formulation. We are now being urged to go forward to the "Great Society."

It is not yet possible to judge definitively because Mr. Johnson has not defined his program with precision, but one suspects that his thinking is substantially different from that behind the Stevenson and Kennedy formulations. It is quantitative rather than qualitative. Arthur Schlesinger, Jr. coined the phrase "qualitative liberalism" in a privately circulated memorandum in 1960. It was the political companion piece to the economic analysis offered by his friend and Harvard colleague, John Kenneth Galbraith, in *The Affluent Society*. The underlying assumption was that America had solved the economic problems of mass poverty, unemployment, low farm income, and the sluggish business cycle that plagued us from 1929 to 1941. Those who did not share in the general affluence of the sixties were left out, not because of a failure of the total economy, but because of problems unique to them. They were Negroes victimized by racial discrimination, or aged miners trapped in a dying industry, or slum youths scarred by psychic conflict and deprivation. Whatever their individual circumstances, the Schlesinger-Galbraith argument ran, these disadvantaged individuals could not be readily helped by a further rise in general economic prosperity. They needed special programs tailored to their needs.

For the society as a whole, the problems were qualitative, not quantitative. What are some of these problems? One is air and water pollution. Even well-to-do and middle class families can not escape the burning smogs and cancer-producing polluted air of Los Angeles, New York, and other urban centers. Second, there is the severe congestion of our cities and the inadequacy of our railroads and other mass transport facilities. What is the use of having two cars in the garage if the only place you can drive them is into a nerve-rending traffic jam? Third, there is the appalling ugliness of most of our cities and of our suburban roads. Why does every used-car dealer have to put up those identical rows of multi-colored pennants? It is possible for people to sell automobiles or provide food and lodging for automobile travelers without turning the access roads of every major city into dreary lanes bounded by neon signs, flashing electric arrows, and garish billboards advertising used-car lots, motels, and hamburger stands. Nor should the architecture of our cities be left prey to the rapacity of our real-estate speculators and the uninformed tastes of our building contractors. The United States defeated Germany in the last war and demolished most of its cities. In the nineteen years since V-E Day, which capital has been enriched by the more handsome and interesting buildings, West Berlin or Washington? A fourth qualitative issue is the poverty of our common cultural life. No matter how rich you are you cannot find TV programs above the lowest common denominator because most television channels have been turned over to the control of the advertising men. Nor do we pay the salaries we should to our teachers, musicians, and librarians to attract and keep the best talents.

Since there are only a few coherent, organized interest groups to agitate and lobby for reforms in these qualitative areas, the burden falls heavily upon our politicians, principally the President and members of Congress. Through their speeches, legislative proposals, and investigations, they must try to structure diffuse public opinion and give a lead on problems whose shape they can only partially perceive and whose solutions are even harder to devise and explain.

President Kennedy made a tentative start in this direction. He appointed, for example, successive chairmen of the Federal Communications Commission who attacked television programming as "a vast wasteland" and who suggested limits on the amount of advertising. There was little in the platform proposals of the liberal Republicans, except endorsement of an advisory federal commission on the arts, that reflected an understanding of the qualitative issues in our national life. The Democratic platform is likely to be the usual effusion of self-congratulation in which incumbent administrations indulge themselves. Unless President Johnson develops an unexpected personal commitment in this area, we shall have to wait until the problems become more severe (and more difficult to solve) before they enter the main stream of political discourse.

WILLIAM V. SHANNON

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The Impact of the Reapportionment Will Unquestionably Be Awesome

Democracy and the Court

WALTER DEAN BURNHAM

LAST MONTH the Supreme Court rendered a decision whose significance makes it rank as one of the half-dozen great milestones of our constitutional law. Speaking through Chief Justice Warren, the Court held in six companion cases that the Equal Protection Clause of the Fourteenth Amendment requires the states to apply a substantially egalitarian population standard to apportionments in both houses of their legislatures. The majority rejected the argument of the states that a "little federal system"—that is, representation of territorial units akin to the United States Senate—was constitutionally allowable. In the New York and Colorado cases the margin was 6 to 3, and in the Alabama, Delaware, Maryland and Virginia cases 8 to 1.

Justice Harlan, dissenting in all six cases, maintained the argument which he and Justice Frankfurter had made in *Baker v. Carr* that apportionment questions were not properly justiciable and therefore that the plaintiffs had not stated a cause of action. He also bluntly accused the Court of amending the Constitution by judicial fiat. Justices Clark and Stewart joined Harlan in the New York and Colorado cases for quite different reasons—in Colorado because initiative and referendum procedures had been used by a popular majority to create a state senate apportionment which differed widely from a population standard, and in New York because the 1894 weighted apportionment scheme was not patently irrational or the result of capricious action or inaction. Stewart was particularly insistent in his argument in the New York case that the majority of the Court had chosen a single political philosophy and imposed it with iron rigor upon states of diverse populations and traditions.

The impact of this decision will unquestionably be awesome. Of the 50 state senates, 26 are currently so apportioned that less than 40% of the voters can elect a majority of senators. In 25 of the 49 state Houses of Representatives (Nebraska's legislature is unicameral), less than 40% of the voters can elect a majority. There are some extraordinary inequities among districts in all but a very few states. In elections to the Nevada Senate, to take perhaps the most extreme example, one vote in the least populated district is worth 2,236 votes in the most populated district. Each county constitutes a senate district, and consequently only 8% of the Nevada electorate can elect a majority of the state's senate. In choosing members of the Connecticut House of Representatives, the favored voter of one rural town casts a vote worth 429 votes in the city of Hartford; a majority can be elected by only 12% of the state's voters. Revision of such boundaries in accordance with a substantially equal population standard will result in enormous shifts of power at the state and local level from the declining rural bailiwicks to the cities and even more to the suburbs. The political regimes of states like Connecticut, Florida, Georgia and New York will never be the same again.

VERY SERIOUS issues are raised by the Court's decision in these state apportionment cases. Firstly, the Court has been accused not only by outside critics but by some of its own members of outright judicial legislation, if not of amending the Constitution itself. Secondly, it has been accused of forcing upon the Constitution and the country a particular majoritarian philosophy of representation which has never won wholehearted acceptance in the history of the country. One charge goes to the heart of the question of judicial power in the United States. The other, involving a blunt confrontation over political philosophy, reminds us that the struggle for and against political democracy is still going on in the United States decades after the democrats have carried the day in most of the rest of the Western world.

Back in the early nineteenth century a New Hampshire judge, asked whether judges legislated, replied: "Do judges make law? Of course they do. I've made some myself." Justice Holmes agreed that judges make law, but he hastened to add that they make it only interstitially. There can be little doubt that the Supreme Court owes its exalted power in the American political system to the peculiarities of that system itself. Nowhere else in the world would courts dream of attempting to exercise the range of substantive powers over public policy which they take for granted here. But nowhere

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else in the world does a major nation attempt to govern itself in as dispersive, fragmented a manner as does the United States. The secret of the Court's success rests largely upon two peculiarities of the American system: its inveterate formalist legalism, which transforms questions of public policy into questions of constitutionality, and, above all, its total failure to develop responsible party government.

The once-formidable traditional legalism of the American political culture seems to be dying out, though—as Senator Goldwater's statement of his reasons for voting against the Civil Rights bill demonstrates—it is by no means dead yet. But responsible party government is not in sight even now, and the interstices in which judges make law remain very large as a consequence. The issue may perhaps be stated as follows: the greater the centralized and disciplined control over public policy which the party system assumes, the more constricted become these interstices in the political system. Conversely, if the so-called parties are actually anti-parties—if they work to dissipate and fragment popular power rather than to concentrate it and focus it upon questions of public policy—opposite conditions will exist. The more fragmented and dispersive the party apparatus, the more exposed legislators become to appeals to narrow self-interest; the more likely that underprivileged and unpopular elements in the citizenry will be ignored or even subject to repressions such as those contained in the Smith Act; and the more unlikely is it that grave and growing abuses in the political process can be corrected, if at all, except under the most extreme pressure. Judicial power is fostered both by the paralysis which political irresponsibility brings in its wake, and by the deliberate or casual injuries which it inflicts upon the rights of individuals.

The history of apportionment demonstrates the kinds of forces which continually operate to bring the judiciary into the center of the public-policy conflicts. Because of the broadly dispersed settlement of an agrarian, ethnically rather homogeneous population, problems associated with malapportionment tended to be comparatively minor in the nineteenth century and were frequently worked out through the local political process. But toward the turn of the century the swift urbanization of American society and the addition of substantial new-immigrant elements to the urban population placed unprecedent strains upon the capacity of state political systems to make timely adaptions to changing realities. Quite naturally the declining rural native-stock elements who were still in control of the political apparatus adopted the strategy of the rear guard. In many cases, constitutions were explicitly amended to secure continuing rural control over the legislative process—for example, by giving each county in the state one seat in the state senate. Even more frequently the politics of the rear guard took the form of determined resistance to any kind of equitable reapportionment. With each decade population became more and more concentrated in the geographically confined areas of the cities. The ultimate result of this interaction of dynamic population shift and political immobility was that in a number of states the disproportion between population and representation came to equal or surpass the worst rotten-borough features of the pre-1832 British House of Commons. Vermont, for example, has seen no reapportionment of its House of Representatives since the 1790's. As late as 1964, one town with a population of 24 had as much weight in the choice of a Vermont representative as did another with 35,531 people.

VERY OFTEN the current state of affairs has simply been the product of inertia and the understandable reluctance of rural legislators to vote themselves out of jobs and their constituents out of influence in the political processes of the states. But sometimes, as in the New York constitutional convention of 1894, it has been the explicit product of a counter-revolution against political democracy itself. The weighted representation formula, which replaced a much more equitable apportionment scheme laid down in 1846, was the fruit of the intense class and ethnic antagonisms associated with the crisis era of the 1890's. It was one of many interrelated steps involved in the construction of the nationwide anti-majoritarian political regime of 1896-1932. Some notion of the intensity of this feeling can be had in the blunt speech of a Utica delegate to the 1894 convention: "I tell you, gentlemen, you who represent that great city (New York), that when that time comes, when your streets are filled with those who defy the law, when socialists, when those who believe in no government, are parading your streets and destroying your property and killing your citizens, then you will cry for help. And to whom? You will then turn your eye to the green fields of Oneida and Herkimer and Jefferson and St. Lawrence. . . . You will expect us to respond to the call, and we will."

This statement, gripped by the vision of imminent social revolution so common among the conservative and propertied classes in the 1890's, was extreme to be sure. But the reasoning behind it—the notion that rural people have special virtue which should be rewarded in the apportionment scheme—remains widespread in the United States to this day. Such reasoning, of course, is part of the armory of the conservative who fears majority rule and does what he can to prevent its emergence. But it is also predicated upon the notion that some kinds of voters, by virtue of their geographical location, are better than others and that that superiority should be enshrined in law. It is precisely here that the issue of equal protection of the laws for all citizens of the Republic is squarely joined.

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When this question of judicial power is raised, then, at least two points should be kept in mind. In the first place, the Constitution is far more than words written upon parchment. It is in a real sense the evolving consensus of the Republic. Ever since the New Deal revolution overthrew the profoundly anti-majoritarian regime set up during the 1890's, that consensus has been moving steadily toward an affirmation of juridical equality as the main principle whereby our political and legal institutions are made legitimate. This evolution is squarely in line with the kind of political culture which is appropriate to a highly industrialized, urban, yet democratic society. Judicial decisions shape that consensus. Perhaps they have even forced it somewhat in recent years. But in the last analysis the Court itself cannot move beyond the outer limits of what public opinion will tolerate. It continues to make law, as it always has, interstitially.

Secondly, the judiciary was drawn into the apportionment vortex after years of deliberate abstention because there was literally no other non-violent recourse. In most cases the essential irresponsibility of the political process left urban voters with just two choices: the judicial process or the sacred right of revolution. Where, as in Nevada, one vote in one locality was worth more than two thousand in another, the notion that this constituted equality before the law for the disadvantaged voters was reduced to a mockery, as was their formally preserved right to vote itself.

Here, as in so many other aspects of our national political life, we come upon one of the supreme ironies of the American brand of conservatism. In England, it was that astute Tory, Benjamin Disraeli, who took the calculated risk of extending the franchise to the upper strata of the working class. But in the United States, what passes for conservatism has too often been reduced to the old formula: "I lie in possession; let me sleep." Failure by local power elites to adapt to changing times, in order to hold on to their monopoly of power, has done more, in all probability, to foster centralization of government than all the socialists, Communists and New Dealers of the 1930's put together. The one

essential ingredient which American conservatism has always lacked is a sense of the common weal, and a sense that one's interests are protected better in the long run by making timely adaptations to change—and thus retaining as much control over it as possible—than by trying to play a pat hand. When Justice Frankfurter ruled in the 1946 *Colegrove* case that apportionment questions were political questions not meet for judicial decision, his argument had been predicated on the belief that such judicial abstention would promote disciplined responsibility in the political process. The failure of that responsibility to develop—a failure so endemic to American politics—was the prime cause of judicial intervention in the 1960's. American conservatives, as usual, missed a golden opportunity to make a really effective defense of the local and particularist institutions of which they are so fond.

WHAT of the argument which has been advanced that the Supreme Court has chosen a single, highly debatable majoritarian philosophy upon which to ground its decision? There is a good deal to this position. If there is any firm conclusion which can be drawn from the study of American political theory and practice over the years, it is that majoritarian democracy has never been fully accepted as the sole principle of political legitimacy. The struggle against its dominance was, after all, an integral part of the "counter-revolution" which produced the Constitution itself. Since then the struggle for and against political democracy has been waged unremittingly, and often subtly, down to the present day. The very structure of Congress—its reliance on seniority, its domination year in and year out by conservative committee chairmen from one-party backwaters, its rules and its lack of any effective party discipline—remains profoundly anti-majoritarian to this day. So also does the ramshackle, locally fragmented organizational structure of the anti-parties which we Americans call political parties.

The real struggle over the nature of legislative apportionments in this country is, then, a struggle over the scope of political conflict. It is a contest between those who believe that majority rule in the political process is indispensable to democratic government and those who argue that the principle of the concurrent majority—or what Russell Kirk calls "consensus" or "territorial" democracy—is the indispensable price of union. This contest extends to the deepest questions of political power and legitimacy which can be raised in the United States, and it has never been convincingly won by either party in this country's 188-year history. How, then, can the Supreme Court's intervention in it be justified?

There are at least several partial answers to this disturbing question. The first, of course, is a constitutional answer—the one which Chief Justice Warren gave

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in his majority opinion. Anti-majoritarianism may not constitutionally be carried to the point of depriving any otherwise eligible citizen of substantial equality in his right to vote. There is no question here of judicial intervention to "reapportion" the United States Senate or to declare that the rules or the seniority system of the House or the Senate unconstitutionally deprive anyone of equal protection of the laws. The Senate's equal representation of the states is the explicitly ordained price which we pay for a federal system. But the right to vote is a constitutionally-protected individual right, and like other such rights its regulation by state or federal authority must comply with the equal-protection and due-process clauses of the Fourteenth Amendment. That Amendment, the product of a determined, if not entirely successful, Reconstruction effort to replace a loose federation of states by a much more consolidated regime, is quite ample as a constitutional ground for the Court's opinion. Thus, as in the Colorado case, the adoption of an apportionment by popular referendum which deviates widely from a strict population standard falls because, as Justice Jackson asserted in the second Flag Salute case (*West Virginia v. Barnette*, 1943), individual constitutional rights "may not be submitted to vote; they depend upon the outcome of no elections."

A more complete answer, however, requires going beyond the face of the constitutional rhetoric. The words of statutes, as Judge Learned Hand observed, are often empty vessels into which the judge can pour what he will. This is even more true of such inherently vague and ambient constitutional language as the equal-protection and due-process clauses of the Fourteenth Amendment. These clauses certainly did not cover legislative apportionments in 1924 or 1944; yet they do in 1964. Was what the Supreme Court did here simply an exercise in judicial fiat? The answer has to be yes and no. The Justices were confronted in 1964 with a number of very complex factors which had to enter into any decision they made. On one side were the subsidiarist values involved in federalism, in permitting the individual states to work out their own experiments in representation in their own way. On the other side was the existential fact that malapportionment had reached such abusive extremes that in some cases the right to vote had been virtually abolished for certain classes of citizens. Perhaps also the fact that the paralysis and *immobilisme* which has so clearly sapped the vitality of state government over the years grew out of this apportionment deadlock also played a role in the decision. Certainly the existence of extreme abuses, and the patent failure of any other known means to correct them, was a major factor in shaping judicial consciousness here as it had been in the *Segregation Cases* of 1954. To this must be added the point that the meaning and sweep of the equal-protection and due-process clauses of the 14th Amendment has been progressively broadened and deepened for at least the past forty years.

It is becoming increasingly difficult in our emergent political culture to find principled justification for overt anti-majoritarian institutional arrangements, especially when they have the practical effect of establishing first- and second-class status for different categories of citizens. The concept of equality before the law works in tandem with the concept of political democracy, and both have an immense dynamism of their own in our society. They are potent universals, solvents of federalism and localism where—as is too often the case in the United States—federalism and localism are employed by locally dominant interests to protect their own vested interests at the expense of the citizenship rights of others.

Essentially the argument for a "little federal system," or for "territorial democracy" is an argument for functional representation—the representation of "corporations" or "estates" as in Mussolini's Italy and Salazar's Portugal. It is indeed less principled in a sense than those experiments in corporatism, since only certain inherently conservative "estates" are granted recognition by the advocates of "territorial democracy." The argument for a continuation of such extreme, legalized deviation from majority rule, for weighting the votes of some individuals far more heavily than others at the polls, could be justified only upon a conclusive showing that the interests involved would be sunk without a trace in a formless mass without this protection.

Such a showing cannot be made, for the argument fails to admit one supremely relevant fact of political life in the United States: this country has the most exuberantly developed interest-group system in the world. This takes on its specific characteristics, like our unique institution of judicial review, from the diffuse irresponsibility of a political system which has no disciplined party organization. Interest groups enjoy free access to the American legislative process—rather more on the state than on the federal level, in fact, since so much of what is done on the state level is invisible to the general public. Pennsylvania, for example, has one of the more fairly apportioned legislatures, but this has not prevented an epic struggle between railroad and trucking interests from recently convulsing its legislature. It is unlikely, to say the least, that equitable apportionment of the Oklahoma legislature will force the oil lobby and the farm interests into an outer political darkness.

In the last analysis, then, the evolution of constitutional rights and requirements is a part of the evolution of the larger political culture. The Supreme Court's role includes the most difficult task of adapting legal institutions to social change—all too often in a context in which change short of revolution would otherwise

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not be possible in these institutions. Even in relatively non-controversial areas of criminal law many punishments—such as flogging and keel-hauling in the Navy—which were once accepted as a matter of course are now regarded as unconscionable. The Court is in a real sense the conscience of the American political system, and it exercises that conscience within what it perceives to be the current public consensus. What the apportionment decision has done, and all that it has done, has been to rule unconstitutional any effort to incorporate favored elements of the pressure-group system into the electoral process in such a way as to depreciate the rights of less-favored individuals. It will secure its ultimate justification from the American people if the people believe that it was a necessary and morally right decision.

WHAT WILL be the ultimate effects of the Apportionment Cases? Rather clearly it will shift political power radically away from rural and toward urban elements. It should accelerate the growth of a largely urban-based Republican Party in the South. States like New York which have been "Republican by constitutional law" will cease being so. In most states, political power will pass from those identified with the nineteenth century to those identified with the twentieth, though it seems more than likely that not liberals but moderate conservatives, based on suburban strength will hold the balance of power. In the long run the cumulative effects of this decision may give us some of the preconditions for the development of competitive and responsible party organizations at the state and grass-roots levels.

But it would be very unwise for liberals to assume that the moment of truth has finally arrived. Liberals have the habit of underestimating the enormous staying power of anti-majoritarianism in American political life. The pressure system is not only left untouched by this decision; the Supreme Court has made it clear in a recent, notorious case involving the Pennsylvania truckers and railroads that the constitutional right of petition is as absolute as the constitutional right to vote. Judicial decisions cannot and will not reach the structure of the rules system in either House of Congress. Nor can courts check the growing practice among state politicians of insulating local politics from national influence by holding major state elections in non-presidential years. Above all, courts can (and should) do very little—except in the most peripheral way—to promote the development of an effectively disciplined party system. Without such a system virtually all else will eventually fail, at least from a liberal point of view. For party is the only conceivable force with the strength to provide the integration of political power which must develop if an experiment in majoritarian democracy is ever to get off the ground.

The Supreme Court has time and again confounded its students and critics by rising from the ashes of earlier setbacks to assume a central role in the American political system. It has now moved to exercise its powers very broadly and to throw its weight heavily on the side of the egalitarian and majoritarian universals of our political culture. One may hope that it does not move too far too fast, and make so many enemies that a successful anti-egalitarian and anti-majoritarian counteroffensive is launched against it.

Ideally it would be best if non-elected courts were excluded from exercising such massive influence over the direction of public policy. Yet the Supreme Court, faced with the diffuse irresponsibility of the political system, is often left with no choice but to close its eyes to massive deprivations of individual citizens' rights or to intervene. To eliminate judicial review without providing for an effectively disciplined party system would be the most admirable way to cripple political democracy in the United States. It seems more than likely that the development of such a party system would be accompanied step by step by a decline in the Supreme Court's policy-making functions. But until that day arrives, it would be well to remember that a wise man does not tear down a fence until he learns why it was put up.

Nightmare

I wake to silence violent as a storm.
When I made my placid prayer, inward turned
To my private place, the moon's far face
Hung pale and glistening like a human cry.
Now, awful import, Good Friday. Rain.

By dreams possessed, delirium set seal
Upon my famine. It could not be in Spring,
That ruin-drenched day that was so slow to die:
Never the virgin Spring of swelling fruit,
Of reaching root and bursting pod.
No, never, not in Patriarchal Spring.

It could not be a tree of leafy grace
Like Gideon's fleece and golden voiced by birds,
Rifled, stripped grotesque, barbaric shaped
For wolfish revelries and monstrous games.
No, never in dishonored Spring,
Not upon a temple tree.

As hot flesh freezes in the cerements
Of my dark bed, the quaking willows weep,
Birds huddle and the breaking sky comes down
Like final Judgement on a smoking world.
Good Friday. Rain.

KATHERINE GORMAN

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"Normal" Conduct Was Not Enough

The Innocence of U.S. Steel

CHARLES OWEN RICE

BIRMINGHAM, Alabama, is dominated industrially by the United States Steel Corporation, and in fact, owes its existence as a city to the corporation.

U.S. Steel is a Northern corporation which was among the first to develop a great facility in the South. It accepted the South and was accepted in return. Traditionally it has asked from its surrounding community nothing other than tranquility and an atmosphere conducive to employee efficiency. U.S. Steel, it should be said, has taken some steps to achieve racial justice internally. It has joined the United Steelworkers of America in signing the sort of nondiscrimination pledge proposed by the President's Committee on Equal Opportunity. This is a progressive action which, incidentally, depends for its real effect on the actual attitudes of the true leaders within the plants at all levels and on both sides of the labor-management division. Merely signing a pact solves nothing, but it is however, a sign of a right spirit.

Yet during the racial crisis of 1963 U.S. Steel, while not completely torpid, made little official response to the demands of the crisis. The question has arisen, was the corporation's response adequate, was it even a decent minimum?

The U.S. Steel subsidiary, Tennessee Coal & Iron Company, working with the United Steel Workers of America, discarded its old seniority system which had one promotion line for whites and another for Negroes. Under the old system, Negro promotions were slow and limited. Under the new, Negroes were integrated and many upgraded immediately. Whites who objected too strenuously were dealt with firmly. The transition to a more just system was smooth and successful—work was not disrupted and attendance continued normal through the worst of the outside disturbances.

Arthur Wiebel, president of Tennessee Coal & Iron, has been civically active in many fields. He has worked for Negro welfare, was a member of the board of Tuske- has been civically active in many fields. He has worked Negro residential subdivision, has endorsed the hiring of qualified Negroes on the police force and must be said to have had involvement, some involvement, with the forces of good. He was on the side of the angels, and he did not support the segregationists or "Bull" Connor.

Could he and his company have done more? Yes.

The steel corporation towers above other institutions in Birmingham. Its leadership did not match its power. Wiebel should have been a hustling, aggressive leader of the civic forces seeking a decent *modus vivendi* if not complete racial justice. He could have provided the missing element in Birmingham: a white man of such stature that he could not be ignored or intimidated who was willing to be the voice of decency and sanity.

From the facts available we must conclude that neither Arthur Wiebel nor his company attempted to use their great leverage to achieve racial peace with justice in Birmingham.

Roger M. Blough, chairman of the board of U.S. Steel, stated at a press conference on October 29 that he did not believe it would be "a wise thing for U.S. Steel to be other than a good citizen in a community, or to attempt to have its ideas of what is right for the community enforced . . . by some sort of economic means."

PERHAPS Blough is correct with regard to the normal situation and maybe in such a situation his man on the scene should hold back, but this was no normal situation. It was a desperate situation—civil strife bordering on warfare.

Blough and Wiebel are policy-making corporation men. The actions of the one and the explanations of the other constitute a contribution to an old debate on the role of the corporation in public affairs.

Is the modern corporation merely a collective device necessary for the conduct of great commercial and industrial enterprises whose sole function is the making of profit for stockholders? Can the corporation be just this? In practice what does it do? In theory what should it do?

The debate has arisen partly because the modern corporation is not controlled by its owners but by a managerial elite. This elite is self-perpetuating, it chooses its members by its own processes, forms its groupings, has its own ladders of promotion and its internal standards of behavior and scales of value. The elite and the corporation it controls are both freewheeling and remarkably uncontrolled by outside forces.

The state is one outside force with the ability to control. Corporation men view the state with almost irra-

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tional fear and propagandize continually against state interference. Their distrust is monumental. The managerial elite of the nation was profoundly shocked by the late President Kennedy's forceful action when Big Steel clumsily reached for a price increase in 1962. Their reactions were out of proportion and their resentful hostility never fully abated even though the President did many things to woo and reassure them.

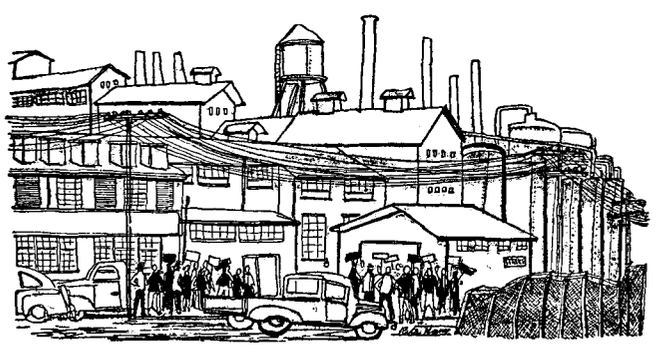
Labor is another outside force that could possibly counter corporation power. In actuality, however, the field of labor effectiveness is very limited; and, with the waning of union strength, the corporations are left to their own inner restraints and government's under-used potentiality to control.

Corporation men are understandably skittish about the role of the corporation in the community. Eugene V. Rostow in the volume, *The Corporation in Modern Society*, writes: "The political and legal aspects of corporate statesmanship present vistas which are . . . disturbing. . . . The endocratic corporations are accepted as powerful and effective instruments for carrying on the business of society. If their directors begin to act as if they really were general trustees for the public at large, *they may well imperil their present freedom.* Corporations are not accepted in public opinion as institutions through which society makes its educational policy, its foreign policy, or its political policy" (italics mine).

Liberals arrive at the same conclusion as Rostow, Blough and Wiebel but for a different reason. They do not want the corporate elite to dominate or direct society, feeling that it is unfitted for the role, and that, moreover, its goals would be limited and inferior. They, too, say that the corporation serves best when it confines itself narrowly to its own business of business.

Sir Edward Coke, when the corporation was in its infancy, said that it had no soul, and others since have remarked that without a soul it could not have a conscience.

Today, however, a corporate conscience can be said to exist and its existence is demonstrated in the assistance and encouragement given by corporations to good causes. Community Chests, hospitals, colleges, universities, special schools, symphony orchestras, the opera, other artistic projects, character-building agencies, health campaigns and similar noble efforts depend on the corporation conscience for much of their sustenance. Corporations of course also fearlessly promote Americanism and discourage Communism.



Occasionally they will venture into politics. To give them credit they do not go all out in politics. Their trade associations and some of their important people, more or less as individuals, will enter fully into political warfare but the corporations generally show a wise restraint, except, alas, for lobbying.

In general, corporations enter wholeheartedly only into those matters where they need not be apologetic or fearful of bad publicity or reprisal.

The matter in Birmingham was not a bland good cause. Those who were opposed to a corporate stand on the side of racial justice were articulate and possessed of the capacity to make trouble. To enter fully into the matter was risky but I think that U.S. Steel should have assumed the risks involved.

A. A. BERLE, JR., who has been writing perceptively about the American corporation for over a quarter century, at one time thought the corporation should eschew any effort to influence or improve its environment or to be a conscience and servant of society. As he puts it himself, he thought that "corporate powers were powers in trust for shareholders" and he argued against those who believed that they were held in trust for the entire community. A lifetime of study and observation has convinced him of the contrary.

In *The Twentieth Century Capitalist Revolution* he wrote: "For the fact seems to be that the really great corporation managements have reached a position for the first time in their history in which they must consciously take account of philosophical considerations. They must consider the kind of community in which they have faith, and which they will serve, and which they intend to help to construct and maintain."

Birmingham was history and it was a time when, if ever, the corporate conscience should have displayed itself. In Birmingham a great and mature corporation with a large managerial elite which was soaked in tradition and imbued with confidence encountered a revolution that was shaking society. The Negro, seeking justice and acceptance, was being opposed and oppressed irrationally and stubbornly. An extremist fringe was shooting and bombing. The law itself was in the wrong hands. The community was sick.

U.S. Steel's reaction was minimal. Within the plant, with the cooperation of the union, it took steps to wipe out a long standing injustice, a promotion system which denied equal opportunity to Negroes. Outside the plant, there is no evidence that U.S. Steel's management cadre, for all its size and talent, made any constructive contribution to a community writhing in social agony.

This was no ordinary abstention from a social controversy. In Southern communities a great company and

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its elite are given a reverential awe that they ceased to get in the North generations ago. A secret survey made for the AFL-CIO made this chillingly clear as a great and little-understood obstacle to union organizing. U.S. Steel could have been effective had it entered the lists. For some, its non-involvement must have been a close cousin of full approval for the segregated status quo.

Roger Blough rejects the idea that his corporation should have used economic influence to back up its idea of what was right for the community. Presumably he views the national consensus and the demands of the American tradition as having no more validity than the corporation's idea of what was right.

Unreflected in his discussion of the issue is the fact that others, institutions and individuals, were using their economic influence to beat back the Negro advance. Institutions over which U.S. Steel certainly had some sort of influence were not held back by any squeamishness.

Three young lawyers, David Vann, Charles Morgan and C. H. Erskine Smith, attempted to assert the claims of reason and decency. Vann was virtually forced out of his law firm and Morgan has had to look for another job elsewhere. Should not the steel corporation have used its power to shield these men from punishment by other economic forces? Did not its very eminence demand that it intervene at least to the extent of protecting those who were courageous enough to cry out the truth and seek a measure of justice?

U.S. Steel's non-feasance is patricularly unfortunate because virtually the only thing which can touch the conscience of the South today is the national corporation. The South is so hungry for industry that in many areas rabid segregationists have been muted lest they keep industry away.

Officials of national corporations with Southern branches cannot say that segregation is not their affair. Their silent presence in the South means approval of its ways. There are really no neutral forces where segregation is concerned. What the South has needed is support and protection for the decent middle group that has been intimidated into helplessness.

Are our corporations incapable of such a service? Actually they have the power to render it. No one wants them to direct society or to be social and ethical arbiters, but there are times and places requiring their imaginative and constructive participation. Birmingham and the Summer of Discontent were such.

The evidence is not conclusive but, such as it is, it indicates that most other great corporations are following U.S. Steel's philosophy of inhibiting dynamic involvement of officials in the direct problem of the day. Bethlehem Steel is rid of an activist official in Pennsylvania, American Petrofina of one in Dallas, and so it goes.

Some futher words of Berle are worth noting: "Power has laws of its own. One of them is that when one group having power declines or abdicates, some other directing group picks it up . . ." in this case, "probably the modern state."

One Man's Fancy

The Intellectual Two-Party System

WILFRID SHEED

IN THE middle-ages, if I remember my Gilson accurately, there was that long, arid period during which everyone had to be either a realist or a nominalist. There were virtually no other categories, no other questions: you either believed in Universals or you didn't. Nothing else mattered, from Abelard to Ockham.

According to Gilson, the log jam was finally broken by Aquinas, who simply by-passed the whole question and talked about something else. Unwittingly, Aquinas may have started a log jam of his own, but that isn't the topic of this month's ramble. I am thinking rather of our own intellectual two-party system, liberalism vs. conservatism, and of how pleasant it would be if a new Aquinas were to come along and change the subject again.

It may be thought that liberalism and conservatism really are all-embracing and therefore form sufficient containers for all our ideas. But realism and nominalism were very big containers too, and yet thought became very cramped in them. (This may not have been so apparent at the time as it is now.) The limits of our own convention are not really so far to seek. Take the present Vatican Council. Writers there have been groping about wildly for new categories, but have found themselves slipping back languidly into the familiar ones. Progress and reaction are the only modes we really feel at home with. And since these notions are

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largely derived from politics, our thinking tends to have a political cast even when we are talking about theology. It has even reached a point where many political conservatives feel that they ought to be ecclesiastical conservatives as well, although the connection between the two is of the slightest. Hans Küng may call for a fourth-century canon in the Mass, but he is officially a liberal and not to be trusted. The Council of Trent precedes the Early Church, not because it is older, but because it is more conservative—an interesting distinction.

And of course it is not only in religious matters that we find ourselves thus strait-jacketed. In the arts, in everyday manners, even in politics, we are hampered by this habit of viewing everything under the same aspect. If we could forget for five minutes our rather stylized notions of forward and backward, we might arrive at quite different alignments of opinions. A man might easily find himself opposed to Red China and in favor of fluoridation, anti-Picasso but pro Schönberg, square about morals and hip about manners, all at the same time. Chaotic, I grant you—but many things in life can afford to imitate French politics rather than American.

The subject is too vast for more than a couple of footnotes here. The first concerns the sheer temperamental appeal of the two words and their images. Jonathan Swift's big-endians and little-endians (who divided over which end of the boiled egg to crack first) are the prototypes of many Saturday afternoon liberals and conservatives who chose their sides by some kind of psychic association. One tip-off is how often the actual words are used. Some people seem to get genuine oral gratification from saying "I'm a conservative" or "left, left, left." *National Review* used to have a tendency in this direction, and possibly still has. The other side of the coin used to be, and possibly still is, represented by the New York *Post*.

RUMMAGING for the roots of this verbal attraction can be fascinating work. To take, if you don't mind, my own case, I used occasionally to call myself a conservative in my late teens, because I had an idea that everyone expected young men to be radicals, and I wasn't going to play into their hands. Later on, I developed a superstition that if I went on saying that I was a conservative, I would start gaining too much weight. This was as wild as anything out of Swift, but up to that point I could not remember meeting a single thin conservative. (I've met plenty since, but they all wear bow ties.) By that time I was old enough to be a liberal anyway: my elders could no longer chortle knowingly and tell me that I would grow out of it.

It was only some time later that I realized that I didn't strictly speaking have to subscribe to either word. Freedom is terrifying, as Dostoevsky says, and I have often since felt myself drawn back almost irresistibly to one or other of the twin sanctuaries. (Even when the words are suppressed the attitude lingers on, and I daresay my reflexes are still conditioned by the old formulas, although I no longer know it.)

Personal history might as well end here. Most people, I suppose, have much more solid and impressive motives for choosing their end of the egg. Yet I am convinced that a complete 100% liberal or conservative would be a freak, a man with one lobe of his brain missing. And to strive ardently to achieve this condition is to court madness, both moral and intellectual. It means forgetting all the other values by which an issue must be judged. (The inhumanity at both ends of the political spectrum hardly needs documenting here.) Sometimes it also means subsuming other values and converting them. Many liberals, for instance, are cultural conservatives, who will fight to the death for old buildings, old folk music, and the English language; conversely, many conservative businessmen never turn a hair when the language is debauched or the landscape defaced. But these inconsistencies, which might be instructive, are often as not simply absorbed into the major premise, so that billboards become conservative and folk music becomes liberal. (No doubt, big-endianism also included free-trade and the three-tone scale—there is no limit to human ingenuity in these respects.)

These reflections are borne forcibly upon any writer who strays even an inch from the narrow path of heresy (or orthodoxy). Why people should bother to read writers whose opinions are always known in advance is hard to say. It may be that, having chosen one's reading carefully, so as never to find a contrary opinion in it, one is vexed to find the nasty things slipping in anyhow. In any case, an unearthly consistency is demanded of writers—and a consistency largely regulated by the liberal-conservative convention.

Recently I made the mistake of writing a piece about feminism which might be taken as a case in point. (At least, it offers a chance to answer some letters.) Many of the criticisms I received complained about the tone of the article, which was certainly a reasonable target. Criticizing the tone of these columns is a bit like asking a skeleton what it is grinning about: some allowance must be made for mannerism. But feminism is a tired joke that could have been spared another airing. (The joke was actually meant to be on the three feminist authors I was reviewing, not on feminism itself, which I take to be a most serious, if complicated, cause: but you never know with jokes.)

But from the vagueness and acidity of the criticisms, I began to get a feeling that what was really wrong with the column was not that it took the wrong stance about feminism, but that it took the wrong stance about Betty Friedan as well. In their usual voracious

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way, the forces of progress and reaction had already gobbled up this bright, rather superficial author, and made her part of the issue. To criticize Mrs. Friedan was to strike a blow at women; it was to play the red-necked anti-feminist and the prototypical jolly male.

THERE IS no point in exhuming an old argument here. But surely it is possible to be a thoroughgoing feminist and still to find Mrs. Friedan's book journalistic and unsatisfactory. Nothing can so weaken a cause as to embrace everything that seems to be going in the same direction. (Catholics probably have less excuse for not remembering this than most people.) Insofar as feminism is a straight fight against injustice, solidarity behind individual spokesmen may be necessary enough. But when it comes to what women want for themselves, there is surely room for several opinions. This defensive rallying around last year's hot feminist suggests that the argument is at a more primitive stage than it need be.

But it would be unfair to isolate this one example, while there are so many others going around. Every important question gets divided along party-lines, so quickly that the intelligence has no room to maneuver in. And the habit has become so reflexive, that some people hardly know that they suffer from it. The standing joke of *National Review* is that liberals believe themselves capable of judging issues impartially. This is indeed a good joke, and one that probably cannot be turned back on the conservatives. Which is worse—thinking you are impartial, or not caring one way or the other—and which of the two more often approximates to one's own condition—may in fact soon be the only open questions left.

Batman, Benzedrine and Coke

Pop Art and the Short Story

WILLIAM JAMES SMITH

THE NEW YORK *Herald Tribune* attempted recently in its Sunday magazine section to define the current avant-garde and estimate its significance. It is necessary to say the *current* avant-garde because those chaps out in front have a way of getting trampled on as soon as they stop long enough to strike a pose. Never have they had to move so fast. Ten years ago I had a reputation—undeserved—for being unshockable. Now that I am unshockable nobody gives me any credit because I'm just one of millions. The reason the avant-garde is having a hard time these days is that their basic dictum is the same—*épatez le bourgeois*—but there's no more *bourgeois* there to *épatez*. Khrushchev is the last of the great Philistines.

Greenwich Village used to be located south of Fourteenth Street, north of Houston (that trap for Texans), west of Broadway, and halfway into the tunneled depths of the Hudson River. The housing problem extended its boundaries. It moved north to Chelsea, east to A, B, C, D, swam to Hoboken and to Brooklyn Heights. Peripatetic beats (old-fashioned word!) hitch-hiked it to San Francisco, where kindred flames were flickering, Fulbrighted it to Paris, on to Morocco, to the Ganges, Shrivered it to the Congo. A tiny colony was established in Milwaukee, other one-man units were set up in the sweltering magnolia towns. Out-of-touch groups sprang up in Moscow, drinking their vodka with smuggled tonic and thrilling to the Margaret Fuller preachments of Yevtushenko. The Fashionable East Side in New York became Villagy beyond the wildest dreams of Edna St. Vincent Millay. Like Islam, it spread.

One day, as the setting sun woke the Villagers around the world, they all crawled from their sacks, reached for their gin or their vodka or their sake, drank deep, stretched, yawned at their pads, and lo! they were The Establishment.

Pop Art is Old Hat in Podunk. Instant archeology, Emily Gennauer has called it, and rightly so. Those twelve-foot Popeyes are one already with the fur-lined tea-cup and the upside-down urinal. The artist or the writer with a new style once had a hard row to plough before he was accepted. Now he is hoisted to the shoulders of the screaming multitudes before he can get around to his second canvas. Once the painter pursued the world's most implausible financial occupation; now his first requisite is a good tax lawyer.

The short story writer—once relatively high on the economic scale—now is in the position of envying his rich brothers the painters. The trouble with the short

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story writer is that he can't really be avant-garde. The form itself is peculiarly resistant to change. There was a jog in the road when Chekhov came along and another with Joyce but since then we've been traveling in a fairly straight line. But something may actually be happening to the short story. It's taking on a new look. The changes may only be gimmicky ones, doomed to the same sort of instant archeology as has infected the art world. They may be more important.

I HAVE eight recently published volumes of short stories before me. The Way Out one of the crop is Donald Barthelme's *Come Back, Dr. Caligari* (Little, Brown, $4.95). *Caligari* is Pop Art, pure and simple, and I can only feel that that has an ominous ring to it. It has long been a basic aesthetic principle of mine that literary works are good in proportion to their length. This falls into the same category of aesthetic principles as the well known fact that all technicolor movies are better than black and white movies—something everyone realizes even though they are not able to formulate the rationale behind it. They are basic Aristotelian doctrines—the notions of magnitude and verisimilitude. Life is not black and white, after all, it is multicolored (and has a loud sound track). These principles account for the greatness, say, of *A Long Day's Journey into Night* and the film version of *Lawrence of Arabia,* as any schoolboy knows (with the possible exception of my nephew).

It is on these basic principles, rather than on its gimmick, that Mr. Barthelme's work falls short of greatness. Chiefly on the grounds that it is not long enough—a mere 183 pages. I read most of the book with a bewildered skepticism (was this vestigial shock?), but the more I read the more sense it seemed to make. By the time I reached "The Joker's Greatest Triumph" I was sold. This is an account of an evening in the lives of the Joker and Batman, of children's comic book fame. Batman and his ward Robin (who attends Andover and is having trouble with his French) foil the attempts of the Joker to rob the Dutch Jew merchant Hendrik van Voort. The story is straightforward and makes a lot of sense. I especially liked the descriptions of the fittings of the Batmobile (vodka, ice, glasses, water, soda, quinine, lemons, limes, etc.). I felt after it that if Mr. Barthelme's book had been twice as long (i.e. 366 pages) I would have been a real fan by the end of it.

As it is, some of my skepticism remains. I suspect, for one thing, from internal evidence, that Mr. Barthelme drinks at the typewriter. Some of his stories have the spontaneous hilarity that comes after the twelfth bottle of beer, when everything is funny, like calling strangers Pamela Hansford Johnson and conversing in the worst clichés you can think of. I'm not sure that it mightn't be a good thing to drink while you read him, a possibility that occured to me, alas, too late. Of course, too, there is the disturbing fact that Mr. Barthelme is serious. What he is serious about is not so easy to say. He does, more or less, oppose the end of the world, he feels that race relations are marked by misunderstandings, that wives make poodles of their spouses, that the rich are insensate to the needs of struggling youth, that airplanes and life are dangerous, that television and advertising—well, all those things. That's enough to be serious about, I suppose. Maybe too much. I am constantly struck by the notion, heretical to this age, that satire is an inferior art. It marks, to my mind, a lack of self-knowledge. It sees a black and white world, and life is, for better or worse, technicolor.

As to whether Pop Art can make its way in the short story, the question is essentially bootless. If you're as good as Joyce you may make it work. Otherwise you're apt to end up like the fur-lined teacup.

NOT TO extend the art analogy too seriously, Mavis Gallant's new book, *My Heart is Broken* (Random House, $4.95), might be called the New Realism, perhaps Magic Realism. All great art could probably be called magic realism, but here the phrase means something a little more limited. These short stories originally appeared in the *New Yorker* and they are in the vein that is the *New Yorker's* distinctive contribution to the development of the short story. This is not to say the "typical *New Yorker* story," which is a Chekhovian situation-cum-frustration and one of those hair-raisingly inconclusive endings, but more in the line of those fictionalized reminiscences which have developed, in the pages of this magazine, into a distinctively new form. The voice is very personal and confidential. It is telling you What Really Happened. It is more direct, even, than the traditional oral story-teller because it carefully eschews (seems to, of course) any attempts at Art. The psychological insights it throws off, so beautifully as Miss Gallant does it, are considered reflections but not calculated for effect. Melodrama is apt to be off-stage or move to a gossipy level. It is fiction that has the immediate fascination of biography—you really *believe* it in something more than an esthetic sense.

Magic Realism does have this peculiar knack of conviction—something actually inherent in the approach and not entirely dependent upon the skill of the writer. Updike uses its resources (in much the same way that Nabokov does) in his insistence upon the evocative strength of minutiae, but there is a danger that in less talented hands the highest emotion that it can evoke is polite appreciation. Magic Realism (Updike and Nabokov are something else again) declines the use of overt drama, but if you never shout the whispered understatement loses some of its effect. It is quite impossible to fault Miss Gallant's short stories, for example, but her novelette points up the essential danger—you can get too much of a good thing. Truth may be stranger than fiction but it isn't nearly as lively.

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Now to the Surrealists, hardly avant-garde in the art world, but something new in the short story. Alfred Chester's *Behold Goliath* (Random House, $4.95) is a combination of surrealism plus Jean Genet. Cecil Dawkins' *The Quiet Enemy* (Atheneum, $4.50) is surrealism plus Deep South. Even Barthelme's *Caligari* is largely surrealist in his effects. Everyone's been taking a crack at it, to be sure—Purdy, et al. Unfortunately surrealism, pure and simple, doesn't work in fiction. I'm not sure why but I think the reasons suggest themselves. I have an idea someone is saying, "You were just commending Joyce! What was he but a surrealist?" Well, that's just it. He was something else besides a surrealist and at the same time that he was a surrealist. There are current novelists who are carrying off the same feat successfully. Pynchon in *V.* accomplishes it, and others come to mind. In *Ulysses*, however, as in *V.*, a commonplace, if eerily illuminated, world exists side by side with the surreal one, which is agonizingly or delightedly perceived at the same time. In Joyce's Nighttown the literal course of events is carefully delineated at the same time that the imaginations of the characters flare out into incandescent bubbles of fantasy. In many of the current attempts at surrealism there is no "control," nothing we can juxtapose this vision against. The effect is oppressive, claustrophobic.

MAYBE that's what they're aiming at, to shock and disturb that dormant bourgeois in us all. And maybe they succeed, but if there are any sensibilities left in me capable of shock, I think the liveliest is a capacity to take offense at the literary posture which says, in effect: "You think you know what reality is! I'll bet you can't even explain why you think that table is black! Reality is . . . etc." After a certain exposure this is just boring. It's boring in the way that the literature of insanity is. The real world, the sane world, may be a pretty shaky thing for the best of us. I'm interested enough in somebody else's vision of the world if I think he can see something of mine but I'm suspicious of a vision that corresponds so unrelentingly to one I had during a youthful indiscretion involving half a benzedrine tablet and a tall glass of gin and Coke.

All of which—to apologize hastily—is not directed without many reservations against Mr. Chester and Miss Dawkins. Miss Dawkins is capable of transliterating her personal vision in terms that are bizarre but believable. Take her title story, "The Quiet Enemy." An orphan boy, just about bright enough to find his way to the bathroom, has an affair with the ugliest woman in town because he figures she won't have the nerve to ask for any money. When an inchoate expression of love wells up in him, she, in her equal confusion, laughs at him. He kicks her in the belly, ending her pregnancy and the story. That is a cruel summary of the story, but the point is it does come across in a fashion. On the other hand she occasionally slips over into that "symbolic" reality beloved of the editors of little magazines and which is worse than no reality at all. I don't know, though. Those Southern ladies give me the willies. There seems to be a contest among them as to who can dream up the most appalling grotesques. And, what is worse, a refusal to take any artistic distance in their vision. The atmosphere has immediacy but you can't breathe in it.

Chester is at his most effective when imitiating the coarse lyricism of Genet's novels rather than the surrealist Genet of the plays. The surrealist stories, such as "Rapunzel, Rapunzel," or "Beds and Boards," have at best a psychiatric fascination. A Genet imitation, such as "In Praise of Vespasian," has something of Genet's weird obsessive power but this is apt to slip over into the perversely romantic sentimentalities of James Baldwin (in *Giovanni's Room*) or John Rechy. No, that is too harsh. What is wrong with the Genet imitations, rather, is that they *are* imitations even when they are brilliant. They can't sustain Genet's demonic intensity and go wandering off into extraneous social commentary or pseudo-religious experience to make up for the lack. Chester is at his best in a story like "The Head of a Sad Angel," where his voice sounds most authentic and there are no gimmicky novelties to obscure the personality behind the tale.

All in all, the conclusions of the *Herald Tribune* were probably right. There is no avant-garde. Or what there is of it tends to get sifted down rapidly into the main stream. The short story is changing all right, but in the way that human beings are changing and human experience is changing. It is interesting that three of the four writers here—Barthelme, Gallant, Chester—are "*New Yorker* writers," and Miss Dawkins might well appear in its pages if she has not already done so. Respectability comes early these days, for the writer as well as the artist. It may not be a good thing. Once you have received ten thousand dollars for a stenciled map of the United States it must surely be hard to search your conscience to decide whether or not you're doing the right thing. The short story writer is not faced with quite the same temptations. It is not likely in the foreseeable future that *The New Yorker*—or anyone else—will offer the aspiring writer ten thousand dollars for a few pages from an old telephone book. Stranger things have happened in the art world.

The short story writer can't really depend on a gimmick. Miss Gallant's "The Cost of Living," Mr. Barthelme's "Joker," Miss Dawkins' "Quiet Enemy," Mr. Chester's "Sad Angel," are good short stories not because they have discovered a new style or because they have caught up with or anticipated an elusive public taste but because in them the authors have caught up with themselves. That is the only race the artist is running that makes any difference. And they all have the consolation of knowing, whatever time does to them, that they will never end up with the fur-lined teacup.

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An Exchange of Views

"Responsible Parenthood"

Uniondale, N.Y.

TO THE EDITORS: I am happy to have received and read your "Responsible Parenthood" issue [June 5]. A clergy-lay dialogue—according to Father McCormick's suggested rules: one that is humble, patient, intelligent, Catholic, and prudent—is to be welcomed on every issue of clergy-lay concern.

It is interesting to note that Father Häring has denied the remark ("I think the British bishops erred in their statement . . .") found in your lead editorial, which quoted the Manchester *Guardian*. [Correction noted in June 19 issue, page 387.—*Ed.*] (It reminded me of *The New York Times*' favorite quotation from Father John L. Thomas, "There is considerable demand for an immediate change.") But Mr. Callahan ("Authority and the Theologian") has raised a key issue, though I am puzzled by his formulation of it: "how authority in the Church is to be understood, interpreted, and developed." Just what are the nuances among "understanding," "interpreting," and "developing"? Does Mr. Callahan mean, as the context of his whole article suggests: How authoritative are the formal pronouncements of the Roman bishop? His self-admitted harsh criticism of Fathers Ford and Kelly uses terminology ("official policy," "established policy," "traditional stance") whose significant reference can be only to the numerous 20th-century papal statements on marriage and family life. And Fathers Ford and Kelly appear to be "totally awed in the face of what they take to be authoritative documents or pronouncements." But with due regard for the fact of doctrinal development, isn't that exactly what the papal statements are?

It doesn't seem to me that there is parity between the centuries-held, dour attitude of moral theologians on sex (Mr. Callahan's "partially false conception of authority") and the formal teaching of the Roman bishop. Theologians are not authoritative teachers in the Church; the bishops are, and the Roman bishop is principal among them. Unprovoked by urgent problems, theologians may at times adhere to "established doctrines," which are to a greater or lesser degree inadequate; but the Roman bishop declares (or can declare) the faith of the Church. Fathers Ford and Kelly are explaining that developed teaching (for well-known reasons, developed only in the 20th century), not any mere theological hand-me-downs. If we want a parallel for 20th-century papal teachings on moral problems, perhaps we should look not to the dour tradition on sex emanating from St. Augustine and other Church Fathers (who are, on matters other than this, staples of the "theological revolution"), but to the ancient and modern declarations of the Roman See on doctrine. Granted, the last word is never said, even by the teaching Church, but shall a private theologian—however personal, careful, and creative he is and should be—take in public or private a position (as Mr. Callahan suggests) that is truly *opposed* to the explicit teaching of the Roman bishop? And if he does, is his conscience truly Catholic? Can this be the price of his receiving a layman's (ordained or unordained) trust?

If theologians appear at times as "obedient, loyal civil servants," it is because they breathe the emphasis placed by St. Paul in the Pastorals upon faith not only at total commitment to God, but as *true doctrine;* it is because they know that the teaching charism belongs to the bishops of the Church and, in a special way, to the Roman bishop. Paul said to Timothy (2 Tim. 1:14): "Guard the truth that has been entrusted to you by the Holy Spirit who dwells within us." Exegetes tell us that the "us" means Paul and Timothy (and their successors), not the ordinary believer (priest or layman) in whom, of course, the Holy Spirit also dwells. The theologian is committed to authority, but not slavishly. He expends his energies not on "policy," but on authoritative teaching and its development. *Humani Generis* (1950) has pungent words on the teaching office and the work of theologians. Though not the *last* word, it is a relevant word and a chastening one.

What the teaching Church proclaims as of faith or of the moral law is true because of this charism of the Spirit given to the Church. It is no culpable confession of ignorance, no dishonest evasion to say that by reason alone we cannot convince all that a position is true, no theological defect to knowing that we must plumb further with reason itself to see—if we can—why and how such a position is *from reason* demonstrably true. Indeed men are not disposed to accept the Church's teaching on contraception; do natural-law arguments therefore not convince? Men *are* disposed to accept the burden of *Pacem in Terris* (a natural-law treatise from beginning to end). Shall we not blast the natural-law position just as much here? In both cases can the conclusions and the premises really be dissociated? It remains to be seen whether a more deeply understood natural-law may not clearly buttress what the Church has inerrantly taught "by the Spirit."

Mr. Callahan chides Fathers Ford and Kelly for not being "much swayed by the theological revolution in the

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Church." (They don't use biblical texts? But they do use the biblical texts that are biblically scarce and which do not settle the problems at issue.) But his own very intuitive (and therefore hard-to-argue-with) description of this revolution (barely evident in the Council?) makes Fathers Ford and Kelly out to be dullards. They, and others, are "covering up, glossing over weaknesses, putting the best face on things, twitching and squirming," and so on. The real tragedy here, I submit, is not Fathers Ford and Kelly's use of "old tools," but a general theological carelessness that is not to be found in Fathers Ford and Kelly nor in Fathers Thomas and Häring.

What about the "sandstone ledge they [the laity] had been assured was made of granite?" "And what are the laity to do while this work of reconstruction goes forward?" It seems Mr. Callahan has posed a false problem. The issue here is contraception—interference with the marital act, direct suppression of the normal functioning of the generative faculty. Has there been a change? Is there a change in process? Do theologians *fear* a substantial change in the Church's teaching? Yes, they do—the same way they fear that ants may speak or whales may fly. When that happens, it will be time for us all to *fear*, our sanity.

(Rev.) DANIEL S. HAMILTON

Munich, Germany

TO THE EDITORS: Mr. Callahan's article "Authority and the Theologian" contains some confusion arising from the fact that the writer does not focus clearly on what is the real issue of contention between himself and the authors of *Marriage Questions*.

When Mr. Callahan asks in frustration: "Who delimits the lines uttered by the theologian: his own Christian reason and his informed conscience or those he supports as an obedient, loyal servant?" he is asking a wrong question. For the theologian's (as every Catholic's) Christian reason and informed conscience have themselves been formed by those (avoiding Mr. Callahan's loaded language) to whom he owes obedience and loyalty, i.e. those who have authority to teach and rule in the Church.

Theology is the science of the Word of God. The Word was entrusted not directly to the theologians, but to those whom Christ appointed to preach the Word to every creature. To these Christ said, "He who hears you hears Me," identifying his own authority with their teaching office, magisterium. The word of reason is made known by evidence; the Word of God is made known by authority. Since theology is not a science of the word, but the science of the Word, it is not ashamed of its obedience and loyalty to authority. Theology proudly proclaims that one of its principal scientific sources is the authoritative statements of the magisterium. Theology recognizes the fact that serving the Word and serving the magisterium to which the Word is entrusted are necessarily identical.

Since Mr. Callahan's real quarrel with Fathers Ford and Kelly is out of focus, it is relegated to parenthetical remarks: ". . . they think it 'very likely' that the Church has taught this doctrine [that contraception is intrinsically immoral] infallibly (a judgment, of course, disputed by other theologians);" and "(. . . if the theologians cannot demonstrate the cogency of the doctrine, why are they and the magisterium so certain that it is correct, much less 'irreformable'? . . .)." While Fathers Ford and Kelly believe that the magisterium has taught the doctrine infallibly, Mr. Callahan sides with other theologians who do not believe so. Obviously what is called for is a discussion of the disputed question, whether the Church has taught the doctrine infallibly. Instead of moving in this direction Mr. Callahan's article returns to the now familiar theme of freedom of speech in the Church and discusses the "tensions" of the two theologians in regard to the magisterium. Thus Mr. Callahan comes to the wrong question noted above. Thus he comes also to the observation, which is "unfair," "but not very": "In extreme cases, [the theologian] tries to act . . . as if his mind is perfectly interchangeable with that of the magisterium. I conform; therefore I am."

Mr. Callahan's observation, however, does not have the derogatory force which he intends. When a theologian believes that the magisterium has spoken infallibly on a given matter, he believes in fact that this matter has been spoken as the Word of God which is to be received with faith. His response (like that of any Catholic) is indeed: I conform (i.e., I believe); therefore I am. As Mr. Callahan has pointed out, Fathers Ford and Kelly believe that the magisterium has taught infallibly the intrinisic immorality of contraception. Let one contest that belief if one can. Let one join the ranks of the "other theologians" if one will. But it is to the credit of Fathers Ford and Kelly, if Mr. Callahan finds their minds on this point "perfectly interchangeable with that of the magisterium." How could they in keeping with their belief better serve the magisterium, better serve the Word?

Mr. Callahan's article implies repeatedly that if Fathers Ford and Kelly could only free themselves from their subjective "tensions" and inhibitions in the face of the magisterium, they would as free men accept the true view, his view. The writer gives no evidence that the thought has occurred to him that there are possibly objective reasons why theologians without becoming "proper functionaries" and "government civil servants" believe that the magisterium has taught infallibly on the matter in question. Mr. Callahan's imputation of motives is unfounded in his article; the writer does Fathers Ford and Kelly a great injustice.

Not every problem can be reduced to the problem of free speech in the Church. As John Cogley, shortly after writing an article on honesty, called in effect for a moratorium on articles dealing with that topic, a moratorium on articles treating the subject of free speech in the Church should be called. THE COMMONWEAL's cover promised an article on "Responsible Parenthood"; the

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editorial pages promise more accurately an article concerning "the self-image of the moral theologian and his relation to the teaching authority of the Church." "Authority and the Theologian" was last year's problem; today's is "Responsible Parenthood." For last year's problem and its answers the files of THE COMMONWEAL can be consulted. A re-hashing of last year's files, and indeed in a confused and unjust context, does not contribute to the solution of today's problem. NORBERT RIGALI, S.J.

Reply

MY PROBLEM with the stance of those theologians whom I likened to "government civil servants," is not, as Fathers Hamilton and Rigali seem to think, that they choose to remain faithful to the magisterium. All of us must do that. Instead, I am concerned that their stance is so little distinguishable in practice from that of a bureaucrat in a secular organization. Father Hamilton, for instance, says that "The theologian is committed to authority, but not slavishly. He expends his energies not on 'policy,' but on authoritative teaching and its development." But is this actually a good description of the proper task of the theologian? Is the theologian's sole concern "authoritative teaching and its development"?

This would imply, for one thing, that the only source from which the theologian can safely draw is past magisterial pronouncements. It would imply, for another, that the theologian would never be in a position to point out to the Church where the magisterium had been inadequate in the past. Too many theologians have belabored the former idea to repeat their arguments here (arguments which can be summed up in the widespread repudiation today of what has been called "Denziger theology"). As for the latter, would any theologian care to argue that the pronouncement of one pope cannot be amended or even superseded by those of another pope? The history of the Church is full of examples of both. The concept of papal infallibility would have no meaning at all unless it were taken for granted that, on occasion, popes can be fallible. To say this, of course, does not imply that papal pronouncements have no binding force. Depending upon the form and weight of the pronouncement it may well bind in conscience. But this important proviso still does not carry with it any necessity that future change has been precluded (except in carefully specified, rare circumstances). Put another way, "authoritative" teachings are not necessarily irreformable teachings. Since this can be the case, then it remains one of the tasks of theologians to discern where reform may be necessary. He is the one trained for such a task.

But how does the Church discover which teachings are in need of reform? Surely in part by the arduous (and at times hazardous) work of those theologians who take the trouble to examine the cogency of present teachings and do not hesitate to point out any weaknesses they discern. Father Hamilton observes that "It is no culpable confession of ignorance, no dishonest evasion to say that by reason alone we cannot convince all that a position is true. . . . It remains to be seen whether a more deeply understood natural law may not clearly buttress what the Church has inerrantly taught 'by the Spirit.'" I have no objection to this, if Father Hamilton is also willing to leave open the possibility that a more "deeply understood" natural law might show that it was a mistake for earlier generations to think that, in this case, the Church had taught "inerrantly." To search for a deeper understanding is a perfectly honorable quest. But if it is assumed at the outset that any conclusion achieved in that search which did not "buttress" the Church's present teaching, or threw it into serious question, would not count, then I would call that a "dishonest evasion." My objection to the style and techniques of many moral theologians is that they seem to look upon theological speculation only as a system-serving device designed to find reasons to support foregone conclusions.

Father Hamilton asks: "but shall a private theologian . . . take in public or private a position . . . that is truly *opposed* to the explicit teaching of the Roman bishop? And if he does, is his conscience truly Catholic? . . . " It seems to me that, indeed, he must do just that if his scholarship and responsible speculation so dictate. Why should it be assumed *a priori* that a theologian who did take such a position could not possibly have a "conscience truly Catholic"? On the contrary, should he win for his position a solid segment of theological support, it would not be difficult to argue (in perfectly respectable theological terms) that the position was at least a "probable" one. Moreover, what if it should turn out that the Roman bishop himself (or one of his successors) came to accept the position? To say omnisciently that one absolutely knows that he won't begs the question. In short, it seems to me impossible to make an *ad hoc* judgment about a proferred theological position, much less about the conscience of the theologian who presents it. Any judgment will have to be deferred until it can clearly be seen what the fate of the position turns out to be.

In this respect, the most significant thing, to my mind, about Pope Paul's recent comments on birth control was that he did not *a priori* close the door to theological developments which might lead the Church to change its teaching (presumably on "the pill"). "Up to now," the Pope said, "we do not have sufficient motive to consider out of date, and therefore not binding, the norms given by Pope Pius XII in this regard. Therefore they must be considered valid, at least until we feel obliged in conscience to change them." What-

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ever the exact import of this statement may be (I would hate to imagine the howl some theologians would have let loose had anyone but the Pope talked in such terms), it certainly does not suggest that any theologian who now feels compelled to find fault with Pius XII's teaching must *ipso facto* be considered to have a defective Catholic conscience.

It was Cardinal Newman who in his *Apologia* pointed out that "Catholic Christendom is no simple exhibition of religious absolutism, but it presents a continuous picture of Authority and Private Judgment alternately advancing and retreating as the ebb and flow of the tide. . . ." What I find objectionable in theological works of the genre of Fathers Ford and Kelly is that only "religious absolutism" is exhibited.

DANIEL CALLAHAN

THE SCREEN

Sicily Revisited

THE QUESTION is how far will movies go in their "new-found" freedom? Foreign films have always been bolder than ours, but now that ours are catching up, theirs are going farther. Perhaps it's a game in which the moviemakers vie to shock—at least until the revolution sets in and we are swung back to "Pollyanna." In the meantime a couple of new movies running willy-nilly beyond the bounds of discretion and decency, take for granted that the sky's the limit.

Most likely Sicilians deserve the ribbing they have been getting from Italian film-makers recently. The mores and codes of Sicily are not easily understandable and are consequently open to ridicule, although last year's "The Leopard" and the current "Mafioso" (at least until it gets to the Mafia) try to convey that the people have some charm along with their insularity. Now, in the prevalent laugh-at-Sicily movement, "Seduced and Abandoned" raises its wicked head. Directed by Pietro Germi, whose "Divorce—Italian Style" viciously lampooned Sicily's pride-bound customs, "Seduced and Abandoned" continues in the same vein. Its plot is mainly concerned with the problems confronting a father, to whom honor and family mean everything, when his fifteen-year-old daughter, Agnese, is seduced. Even after it is discovered that the girl is pregnant, Agnese refuses to name the man. Her father gets angrier and angrier and is frustrated at every turn. He goes into a fury when he finally learns that the seducer is the fiance of Agnese's sister, and this young man refuses to marry Agnese because she is no longer a virgin.

Most of this is supposed to be hilariously funny—and some of it is; but much of it is also deadly serious. Perhaps the film got off on the wrong foot for me in the confessional scene which is played for laughs, similar to a scene in "Divorce—Italian Style." While director Germi guides his cast extremely well, especially Saro Urzi as the irate father, lovely Stefania Sandrelli as Agnese, and several of the minor players involved in all the shenanigans, he does not draw a clear line between his grave subject matter and the burlesquing of his fools' behavior. The priest makes it clear that since these young people do not love each other, they should not marry. But the father goes on and on plotting and planning throughout most of the film's tedious 125-minute running time. Much of the dialogue is more frankly ribald than funny, and many of the social comments are much more scathing than well-tempered.

THE JAPANESE have sent over an unusual film, unusual for them that is—because of its frank realism in sex in telling the grim life-story of a prostitute. Like the Italian film, it is a lengthy (123 minutes) and biting commentary on the customs and attitudes of a group of rural people. Unlike "Seduced and Abandoned," however, "The Insect Woman" is completely without humor. Right from the beginning, Tome learns that survival is the important thing, one follows one's instincts, right and wrong have almost no meaning. While her promiscuous mother is busy elsewhere, Tome sleeps with her foster father. She is sent to work on a farm, becomes the landowner's mistress, is sent home pregnant. Eventually she becomes a prostitute and in time a madame. On and on this sordid sale goes—until Tome's illegitimate daughter joins her in Tokyo and it seems as if the whole vicious insect circle were going to repeat itself.

Obviously director Shohei Imamura takes a dim view of the corruption in today's society as he traces Tome's downward path through the 1920s and next forty years; and he spares us no details in the mean story. But the most amazing thing about "The Insect Woman" is the first-rate performance by Sachiko Hidari in the lead role. One may be appalled at what Tome does, but one can believe her amoral-immoral life in her attitudes toward people and the fight to survive. Tome is no heart-of-gold prostitute; however she has a curious yearning for something more and above the crude, insensitive life she leads. No doubt several of the scenes in "The Insect Woman" are overly graphic in their realism; but the viewer knows that no matter what was Tome's background, she is *not* an insect; and one can't but help think: there but for the grace of God. . . .

ONE DOESN'T do any "there-but-for-the-grace" thinking at "The Carpetbaggers," which is a cheap and vulgar film based on Harold Robbins' cheap and vulgar novel. It tells a seemingly endless story of a tycoon (George Peppard) who deals in aviation, motion pictures, plastics, and in hurting people. It has an outstanding cast directed

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by Edward Dmytryk, and it is interested mainly in sensationalism. Its point seems to be that none of the people so ruthlessly stepped on by the tycoon is any better than he. Perhaps this tale, said to be based somewhat loosely on the life story of a real tycoon, could have been another "Citizen Kane." It isn't.

PHILIP T. HARTUNG

OF NOTE

Authority in the Church

THE APRIL issue of *Homiletic and Pastoral Review* (St. Anthony-on-Hudson, Rensselaer, N. Y., $6 per year) carried an article by Chicago sociologist Father Andrew M. Greeley on "Fraternal Authority in the Church." Excerpts follow:

A change in the forms with which authority operates does not necessarily weaken authority; it may very well strengthen it. Nor can it be argued that the forms of authority have not changed in the course of the history of the Church; clearly the mode of operation of Peter was not that of Innocent III or of John XXIII. The question at issue is not whether there is to be authority in the Church but whether the current ways in which authority is used are suited to the present problems the Church faces. . . .

The work of my colleague at the University of Chicago, Morris Janowitz, may be particularly relevant. In his study of the military establishment, Janowitz observes that the old close order drill training and the rigid caste etiquette separating officer from enlisted man is largely irrelevant in the complicated technology of modern war. The stern drill discipline which had as its model the British squares of Waterloo or the Light Brigade at Balaklava ("Ours not to reason why, ours but to do and die") is meaningless in the atomic age. In fact, it has been meaningless since the invention of the machine gun. In all wars of the 20th Century, victory has depended less on stoic courage and iron discipline than upon the ingenuity and resourcefulness of small groups, whether it be the combat squad, the missile launching team or the inner circle of the divisional or army group headquarters. . . .

Janowitz argues that every large corporation bureaucracy is faced with the same problem: in our complex modern world the large organization depends upon the professional skills of a wide variety of members and cannot function effectively; cannot in fact continue to exist without total involvement of the intelligence of effective participation." . . .

Janowitz distinguishes two types of authority: paternalistic and fraternal. The former "relies heavily on domination. . . . By domination we mean influencing a person's behavior, by giving explicit instruction as to desired behavior without reference to the goals sought. Domination involves threats and negative sanctions. It tends to produce mechanical compliance." The goal of fraternal authority on the other hand "is to create stable and purposeful involvement at each level in the hierarchy of ranks. When military leaders operate successfully, they make use of their organizational skills to produce effective participation." . . .

I would not deny that we have a considerable amount of this "fraternal authority" in the Church. It should be clear that we do; but I don't think we have enough. I think the temptation to confuse "mechanical compliance" with the virtue of obedience is strong in any human organization and that the Church, insofar as it is human, is not immune from this temptation.

The advantages of a much greater emphasis on fraternal authority are evident. First of all, to the extent that we create a climate where there is a strong motivation on intelligent and responsible participation we notably improve the morale of our workers. It is an open secret that there is much frustration and dissatisfaction among the rank and file in the clergy and religious. Some of this is an inevitable part of the human condition; but it is to be feared that some of it results from the fact that many clergy and religious feel that they are just cogs in the machine, that no one cares what they think and that indeed it would be better if they do not think but rather do just what they are told—no more and no less.

It seems most unlikely that those in authority really want such a reaction, but the problem remains that many of the rank and file think that this is what is wanted. There are few of us who are unaware of situations where curates (for example) are permitted to do absolutely nothing but sit and wait. Not only is this a criminal waste of talent, but it also often destroys the spirit and in the long run effectiveness of the person involved. In a system where authority is expected to promote effective participation, such waste could not occur.

Secondly, the information-gathering task of ecclesiastical authority would be facilitated. There is an old saying that when a man is made a bishop he will never again have a bad meal or hear the truth. Even though this is undoubtedly an exaggeration, it is still true that ecclesiastical authorities are often forced to make decisions with very little information at their disposal. The upward network of communications is cut off by the inevitable human tendency to tell a superior that which one thinks the superior wants to hear, even though in fact the superior may not want to hear it at all.

Even though the recent popes have stressed the need of a "public opinion" in the Church which will keep superiors informed of the needs and problems and insights of the rank and file, the institutions by which

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such a public opinion can be formed are only beginning to come into existence and the channels for moving this opinion upward do not exist at all. Mechanisms of consultation and upward and downward communication will be most effective only when the people on the lower levels are persuaded that their honest opinions are wanted, will be listened to, and may have some effect on what is going to happen. Otherwise, why bother telling the whole truth?—it is not going to do any good and it may only get you in trouble. Such a line of argument is certainly cynical; but one would be naive to think that it is not common.

Third, and most important, an increase in the amount of fraternal authority in the Church would improve the effectiveness of our work to an extent that might be difficult for us to imagine. It would mean that a tremendous amount of talent, energy and dedication which has been held in check by the feeling that it was not wanted and indeed frowned upon would be released to forward the work of Christ. . . .

It might be said that fraternal authority actually is a destruction of authority. I find it difficult to understand such a charge—though I am sure it will be made. I fail to see how authority which seeks the insights and knowledge and skills of its subjects and strives to promote the fullest possible participation of these subjects becomes a weaker authority. On the contrary it would seem to me that the authority which obtains consent and participation rather than compliance (or "blind obedience") is a much stronger authority—though if the truth be told a much harder working authority. To give orders is rather easy; domination requires relatively little effort. But to obtain commitment and intelligent participation is a major challenge. It also, at least so it seems to me, is an inescapable responsibility of authority and one which is overlooked only at grave risk.

Secondly, it could be maintained that a plea for more fraternal authority represents an attempt to introduce "democracy" in the Church—with the implication that this is contrary to the nature of the Church. In reply we would say that much depends on what one means by "democracy." Janowitz is opposed to the use of the term. "It is . . . necessary to keep in mind that the use of the term 'democratic authority' is both unfortunate and misleading. Democratic authority applies to political processes, especially to election contests and serves little purpose in analyzing administrative and organizational behavior." Thus if democracy means parliamentary decision making, we are not suggesting that democracy be introduced into the Church. If on the other hand democracy means a respect for the dignity and the freedom of the individual and faith that the more free and intelligent participation is promoted, the more effective an organization is, then we would argue not only that there is room for democracy in the Church, but that the Church has been democratic since its very beginning.

Thirdly, some will undoubtedly suggest that the analysis in this article leaves out the Holy Spirit and the divine element in the Church. Even if "blind obedience" may not be effective it may still be pleasing to God and thus accomplish more than all the efficient and sophisticated organizational policy in the world. Perhaps, although I am not sure that God would be pleased by anything that dehumanizes one of His rational creatures; there is no reason to think that He is more pleased by inefficiency than by efficiency, by poor organization than by good organization. Indeed it would seem that He might actually be displeased by superiors who refuse to utilize to the fullest the vast supply of human talent which is at their disposal and who are content with a mechanical compliance which reduces subjects to unthinking cogs. . . .

Finally, "Fraternal Authority" might be dismissed as a novelty in the Church, an attempt to make authority merely a consultative process. A non-Catholic scholar like Janowitz would be inclined to disagree. He has pointed out on several occasions that the concept of fraternal authority has existed in the Church for centuries and that the religious orders were honoring it (at least in theory) long before the modern corporate bureaucracies ever heard of it. Thus St. Benedict in the third chapter of his rule orders: "Whenever anything of importance is to be done in the monastery, let the Abbot assemble the whole community and himself declare the matter to be treated. And, having received the advice of the brethren, let him weigh it within himself, and then do what he shall judge to be the most expedient. We have said that all are to be called to counsel, because the Lord often reveals what is better to him who is younger." If this instruction were to be followed sincerely in every monastery, religious house, diocese, seminary and rectory in the Church, our effectiveness might double or even treble—and morale problems would vanish. However, such a program would only work if the superior really believed—as did St. Benedict—that he could possibly learn something from the youngest of his subjects.

The fraternal use of authority also seems to be in keeping with the Christianity we see in the Gospels and the Acts. The early Church was a fraternity, "I no longer call you servants, I call you friends." In the first papal encyclical, the first Pope exhorted his fellow bishops to govern their "flocks not under constraint but willingly according to God . . . nor yet as lording it over your charges but becoming from the heart a pattern to the flock." "*Neque ut dominantes in cleris*" might well become the motto of those who wish to see more fraternity in the Church. For historical and cultural reasons certain patterns of "domination" were necessary in the medieval and post-tridentine Church, but such patterns are not part of the essence of the Church nor are they immune from critical re-examination. . . .

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Vatican II Act II: Reportage, Speculation and Gossip

Observer in Rome. By Robert McAfee Brown. Doubleday. $4.95.
The Pilgrim. By Michael Serafian. Farrar Straus. $4.50.
The Second Session. By Xavier Rynne. Farrar Straus. $4.95.

by Robert B. Kaiser

OBSERVER IN ROME is a delightful, chatty kind of chronicle. More than any other work, it captures the human heart of Vatican II. Robert McAfee Brown, a Stanford professor and official observer for the World Alliance of Reformed and Presbyterian Churches, is personal, ruminative, lighthearted. He appreciates the Council and its impact on the world more than most, yet he has a wonderful eye and ear for the incongruously human.

With healthy skepticism, he puts the word holy in quotes. He recalls big days in capital letters: The Day Doepfner Lowered The Boom. He refers to Cardinals simply by their last names: "I know that 'His Eminence Leo Joseph Cardinal Suenens, Archbishop of the Diocese of Malines-Brussels in Belgium' should be so identified when he is referred to, but for the purposes of brevity, 'Suenens' has to do." Boring speeches drive him to the Bar-Jonah.

Brown writes a witty but facetious chapter on the Delicate Art of Observermanship. The reader should be warned not to take Brown's self-deprecating view of himself seriously. Brown was an efficient observer—and then some. He was a key Protestant witness in Rome, not only of the Council, but, just as importantly, of the "para-conciliar" activity that made the city the exciting place it was in the fall of 1963. He provided important "feed-back" to bishops and theologians who were working out the particulars of the Church's reform and renewal.

More than once, for example, he expressed his difficulties over a limitation of religious liberty by anything so wide-ranging as "the common good"—as the draft in possession on the Council floor so stated. Brown must share some of the praise for getting "common good" changed to a phrase which will lend itself less easily to whimsical use by an authoritarian state or an authoritarian church—as reliable sources now report has happened in Rome.

Brown is at his best when he reports his own coffee bar activity. "I forsook the observers' tribune and spent over two hours in the Bar-Jonah, quite frankly lobbying against the Communications schema. I buttonholed every *peritus* I could find, and even a few bishops (which takes more courage). . . . I am a little amazed at my own forwardness in this matter. Is this what observers are supposed to be doing? . . . All fall it has seemed quite in line with my function to respond to the question, 'What is your reaction to how things are going?' Now that I know a number of *periti* and bishops fairly well, I am simply answering the question before they ask it."

Brown has some negative assessments of the second session. He complains that a majority of the Council Fathers wished to adopt a statement affirming religious liberty, but were "not permitted to do so" because the minority frustrated the will of the majority. As an American who has also observed the U.S. Senate debating the civil rights bill for 83 days before it was "permitted" to vote on it, Brown should recognize the facts of parliamentary life. Minorities have rights too. If they preserve them in an ecumenical council of the Catholic Church, so much the better for the Church.

Michael Serafian, the author of *The Pilgrim*, puts in writing a good deal of Council gossip, much of it fabricated. Cardinal Bea did not "come to grief and be broken in complete defeat," nor is it true that he was finally restrained by the policy and command of Montini as Pope, nor did the Pope "sacrifice Bea in a huge tactical error," nor did the Congregation of the Seminaries tell the Jesuit General to remove Bea's name from an American university's list of potential laureates, nor was there any kind of deal made in which Bea and Cardinal Ottaviani mutually agreed to keep silent on key issues, nor did Moderator Cardinal Agagianian switch off the microphone during Bea's last speech. Cardinal Bea himself and his secretary, Jesuit Father Stefan Schmidt, are the principal sources for my own flat contradiction of the author. They were both angry on April 1, when I checked these stories with them. They are both angrier now that they have read them in print.

The publishers would have us believe that *The Pilgrim's* pseudonymous author, Michael Serafian, is a diplomat whose career "has brought him into contact with some of the great leaders, religious and political, of the last twenty five years." This is pure fraud. The author is a young Irish Jesuit named Malachy Fitzmaurice Martin. He can claim only one professional competence: ancient inscriptions.

Martin is clearly angry that the chapter on the Jews did not get through the session. He blames the Pope, whom he thinks is anti-Semitic. This he proves in no way whatsoever, though he makes a sly innuendo on page 117, referring to a letter from Msgr. Montini to the Italian Fascist government which, he says, is "definitely compromising." He does not quote the letter.

To Martin, the Pope was "unable to absorb" the high level thinking of a Maritain. He has "a narrow ecclesiastical point of view," is a follower of "political expediency," marred by a "cloying flaw" stemming from an outlook that was not ecclesial but ecclesiastical, not evangelical but juridical, and his charity was "intellectual not visceral." He is "retrograde" regarding seminary development, insistent on "the Tridentine spirit," jealous of Cardinal Bea's personal prestige. He "failed to give inspiring leadership," and, by a "theatrically staged announcement" of his intentions to go to Jerusalem, "succeeded in glossing over skilfully the disaster, conciliary (sic) speaking, that had overtaken the Council."

Because of *The Pilgrim*, the repu-

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tation of Farrar Straus is sure to take a nosedive. The Boston *Pilot* has raised the question here of responsible pseudonymous authorship. A responsible publisher can responsibly print an anonymous work *if* he has first checked out the responsibility of the author. Sadly, the author's priesthood and his Jesuit affiliation, which should have been enough of an *imprimatur* for anyone, turned out to be a mask for something *The Pilot* has aptly termed "the idiot antics of the witless."

Farrar Straus may be having a bad year, for now, it appears, the Rynne bubble has burst. For some months during 1962 and 1963, many reading "Letters From Vatican City" in the *New Yorker* recognized the fine hand of a cleric who had yoked himself with a *New Yorker* editor to give the Church new, though spurious, respectability by juxtaposing words like "Joannine," *aggiornamento*, and "Curialist" with ads for thousand-dollar crystal and ten-thousand-dollar Bentleys.

In the transition from magazine to book, Father Murphy lost something —probably his rewrite man—and the book that finally came out was a mixture of Manhattan and the Bronx. This sequel second course has been more carefully homogenized by editor John Chapin. It has the consistency and blandness of unflavored yogurt.

One reads in vain through this dullest possible re-hash of the Council's official communiques for some trace of intelligence, some evidence that the authors were able to come to some judgment, any judgment, about the second session. About the forward advance of the Council in general the authors are clear enough: "The vast majority of the Council Fathers are progressive; it is the minority that resists renewal and obstructs *aggiornomento*." We knew that. What really happened during the second session? And what did it mean?

The pseudonymous Rynne does not say. Nor does he help illuminate any of the key issues. He quotes, for example, the *relatio* of Bishop Emile Joseph De Smedt on religious liberty, but seems unable or unwilling to comment, unless you want to call a single adjective — "historic" — a comment. The entire statement is there, of course, for anyone to read, twelve pages worth. But even the most well-informed reader might reasonably expect a fund of reason, some theological reflection on what was probably the single speech of the second session that most contained the seeds of ecclesial progress.

Toward Equality

Black, White and Gray. By Bradford Daniel. Sheed and Ward. $5.95.
Why We Can't Wait. By Martin Luther King. Harper and Row. $3.50.
My People Is the Enemy. By William Stringfellow. Holt, Rinehart and Winston. $3.95.
Mississippi: The Closed Society. By James W. Silver. Harcourt, Brace and World. $4.75.
Crisis in Black and White. By Charles E. Silberman. Random House. $5.95.

by Dennis Clark

IT WAS NOT too long ago that the subject of race relations was discussed in a language of deception that defied both the evidence of the problem and the feelings of the people. This dialogue of deception was broken first by the social scientists, who, unfortunately, often substituted an obscure language of their own for the phony phrases that masked injustice. Now, the subject of race presses upon the public conscience with enough urgency to insure that it will be discussed with force and popularity, even if it is not always addressed with clarity and consistency. The five books included in this review are representative products of the great American social debate that is being acted out in our desegregation struggles.

In some happier time, when a teacher or a parent wants to describe to a new generation what all of the fury was about, Bradford Daniel's *Black, White and Gray* will be one of the most helpful books in the library. It is an anthology of articles and speeches by wrongheaded racists and some of the finest of our defenders of human dignity. Orval Faubus, Ross Barnett and George Wallace vie with James Baldwin, Lillian Smith and the late Father John La Farge, S.J. The selections have the ring of battle in them. Some are partisan as stump speeches. Others are sober and as live as headlines. They tell the terms in which the argument has been carried on. There is lacking, however, some selection that would tell of the central social condition underlying our racial division, the persistent and crippling economic disability of the bulk of the Negro population.

Why We Can't Wait is a battle report by the strategist of non-violence, Rev. Martin Luther King. It is a chilling report of patiently planned demonstrations, furious white responses and deadly retaliations against Negro activists in the summer of 1963. The gravity of the report derives from the stark Southern resistence to what are essentially simple human demands. The lofty and sweeping style of Dr. King's addresses is largely absent. Rereading Dr. King's famous Letter from Birmingham Jail, one finds missing the rhetorical power present in many of his speeches, and the letter is diminished by its colloquial tone. It is the kind of letter that should echo Thoreau or Emerson in its style, but it does not.

William Stringfellow in *My People Is The Enemy* forces the face of his reader against the dirt and despair of a Harlem wall, and then delivers a withering polemic that is so fascinating in its indignation that the reader will follow it no matter how much it hurts. The author is an Episcopalian layman, a lawyer, and a man of great moral energy. He discusses the law as an enemy of the social outcast in the Negro slum. He tells of the politics of poverty and racism in the North, and of the growth of a passion for revenge among the exploited non-whites. His Jeremiad errs at points, but his indictment of the Christian churches has a searing sincerity. It draws its power from the resentment of idealism that has been traduced by that most sickening of sophistries, the pietism of those who ignore others.

Mississippi is the most race haunted state of the Republic. The whole state seems like one huge, malevolent Faulkner plot. Professor James W. Silver taught at the University of Mississippi long before the riots of

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September, 1962, that accompanied James Meredith's entry into the school. As a historian, he knows the past that shapes Mississippi life. In his book he tells of how poverty and demagoguery were abetted by the cynicism of the elites in business and law in the promotion of a paranoid racist orthodoxy. The propaganda war against human rights and democracy carried on in Mississippi is described. In recollections and in correspondence, Professor Silver makes clear the condition of the able and moral white man drowned in the tides of bigotry abroad in Mississippi in recent years. His story is a well-told and absorbing account of life inside an authoritarian racist society. Something like the trials accorded Nazi leaders in Germany are needed to purge Mississippi of the brutal elements that have been in arrogant ascendency there for so long.

Charles Silberman, who has written skillfully on race relations for *Fortune* magazine, has developed a widely informed and assertive analysis of racial problems in his *Crisis in Black and White*. His emphasis is upon the psychology and the social dilemmas that the urbanization of the Negro population has produced. He probes the educational and welfare problems that have become intertwined with our mazes of bureaucracy and politics. Because of the very diversity of information to which the author had access, the line of argument is rather uneven. Silberman is critical of the Ford Foundation community development projects, since he feels that they are based upon assumptions that stem from our previous immigrant experience, and which do not fit the new social enviroment in which the Negro is now caught. He extols the work of Saul Alinsky in Chicago, pointing out that the rough and ready Alinsky style of social improvement through community combat gives the urban have-nots a sense of dignity and purpose. Many readers will remain unconvinced that a reliance upon the fitful guidance of agitated inner-city residents is the key to urban social renewal. Our need for new formulas of foresight, technique and popular determination to alleviate the misery of megalopolis puts a high premium on innovation.

GBS on the USSR

The Rationalization of Russia. By Bernard Shaw. Edited by Harry M. Geduld. Indiana. $3.95.

by Richard Ohmann

A MAN who subscribes to a moral or social ideology runs the risk that someone will put it into practice and thereby burden it with a wretched freight of human error and venality. The guillotine becomes an argument against libertarianism, juvenile gang-wars an argument against permissive parenthood, the carpetbaggers an argument against emancipation. When this happens, the ideologist may recant; or he may save his ideology by disowning the malpractice as irrelevant perversion. A third response is possible: to accept *la guillotine* along with *la liberté;* but in a man of good will, this requires a strong stomach and a certain obstinacy.

George Bernard Shaw had both in good measure. He swallowed Hitler and Mussolini for a while, without impairment to his digestion; and as for obstinacy, well, he spent fifty years denying that vaccination prevents smallpox. Thus it is not surprising that when the Bolshevists abruptly gave an earthly home to Marxism, Shaw (who had virtually invented Marx) was prepared to ride along with them over some rough patches. He eulogized the Soviet Union from a distance through the twenties, and in the summer of 1931 he made a trip there which could scarcely have done other than confirm his opinion.

Though he only stayed ten days (and under strict official chaperonage), he set about writing a book, *The Rationalization of Russia.* Only one chapter and a preface got done. The manuscript went to the British Museum, and now it appears in print as still another bit of Shaviana, retrieved, introduced, and carefully edited by Harry M. Geduld. This fragment of a book is somewhat chaotic; moreover, as Geduld points out, Shaw incorporated much of the material in his later prefaces. Still, *The Rationalization of Russia* is interesting because it reveals Shaw facing as squarely as he ever did the junction of humane theory and brutal fact in the Soviet Union.

For he did keep an eye trained on fact—on the decimation of the bourgeoisie, for example, and on the wholesale slaughter and imprisonment of heretics within the revolutionary movement. He knew well enough that the millennium does not arrive without its agonies ("a smiling countryside . . . blasted into ruin and desolation, squalor and misery, by the Soviet expropriation and persecution of the Kulak"). He knew, too, that revolutionists are a quarrelsome lot, and that "the moment a revolution becomes a government it necessarily sets to work to exterminate revolutionists." But Shaw, who always insisted on the homogeneity of experience, declined to look at *these* facts in isolation from analogous ones about capitalism: the murder of criminals through capital punishment, the extermination of natives during colonization, and, above all, war—"the slaughter of millions of young men 'to make the world safe for democracy.'" *Every* government, Shaw says, has to decide what limits it will set to tolerance; every government assumes power over life and death.

And Shaw, of course, prefers Soviet Russia's standards of conduct to those of the West. Bluntly, capitalism kills to protect organized thievery; Communism kills to "make the world safe for honest men." A lopsided and radical oversimplification, to be sure: most of us are less ready than Shaw to see wickedness and virtue chastely segregated in political conflicts, and his matter-of-fact analysis of Soviet purges as "weeding the garden" can only strike the reader as callous, now that we know more about Stalin's ruthlessness. But it is important to remember—and this book helps us to do so—that Shaw's political principles, however misapplied, were never perfunctory or inhumane; certainly he was far from being a naive rationalist trying merely to shock, as *Time's* reviewer would have it. Shaw wrote with a moral passion deeply grieved by "the fearful mass of individual human suffering and degeneration" that capitalism had sponsored. He found in Marxism not merely a set of fleshless

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abstractions, but a "scale of moral values which reduced the bourgeois scale to the discipline imposed by self-preservation on gangsters and pirates." It was within this framework of values, worlds distant from the safe and facile cockiness of *Time* magazine, that Shaw forgave the revolution its excesses.

God and Modernity

The Problem of God. By John Courtney Murray, S.J. Yale University Press. $4.50

by John F. Boler

AT A TIME when "godlessness" is a political byword and atheism a dominant intellectual force, if John Courtney Murray picks the topic of the problem of God, one has the right to expect something special. Besides, Father Murray is an "authority": many will read him who have not read, and precisely because they have not read, much outside their own tradition (whether that is a religious or an a-religious one). This is not Father Murray's fault, of course, but it may help to explain why I shall have to complain about a book that is well-written, full of insights and, as the jacket promises, "urbane." To take but one of the many places that show the author's talent for turning an important phrase, here is a comment on the rationalism of the modern age: "The decision was to make a separation where the tradition had made only a distinction—between faith and reason. The order of faith, said modernity, is as separate from the order of reason as the order of fantasy is from the order of the idea, as separate as the order of myth is from the order of fact. The further decision was to postulate a univocity where the tradition had proved analogy. . . . There will be only a single truth, said modernity, not a unity of truth." At other times, however, the very smoothness of the style makes for uncomfortable reading about some coarse problems.

The book divides roughly into two parts, the first treating of "the problem of God" in Scriptures, the Church Fathers and scholastic theology; and the second analyzing the notion of the "godless man" in the modern and "post-modern" eras. These are themes that Father Murray has been working over for some time now and which, I am sure he would agree, are not yet in finished form. In this set of lectures, originally given as the Thomas More lectures at Yale University, he has tried to sketch out certain lines of development and criticism in order to delineate what is the problem of God for us now and to place it in its proper historical and scriptural context.

Father Murray freely acknowleges the dangers of oversimplification and he manages in the first part to maintain a broad perspective in an informative and thought-provoking way. But as he moves into modern period, problems of perspective become more troublesome. Moreover, there is a tone to this second part of a "looking back" to better times, of lamenting the "breakdown" in the modern and especially in the post-modern eras. Frankly, I was surprised to find this in Father Murray; it is an inadequate platform from which to treat either the meaning of "alienation" or the sense of challenge that seem to me to characterize contemporary thought. The choice of Nietzsche, Marx and Sartre makes for entertaining reading, but despite their fashionableness, these men seem to me to be transitional phenomena of importance more for their criticisms of their contemporary conditions than as shapers of thought or prototypes of the present generation of thinkers. These are, of course, complicated questions, and one cannot expect a book of this size—nor, thank heaven, a review of this size—to cope with them completely.

It gives me no pleasure at all to criticize Father Murray, but this book seems to me to say one thing and do another. It says that the problem is a practical one and that we are faced with a challenge that must be met in the full human situation and not by a disembodied intellectual exercise. Yet it is written as if by an ideal spectator who stands the history of ideas in the corner and lectures it for truancy. (I was reminded of parts of the writings of Arnold Toynbee, with their provocative, inspirational and infuriating generalizations.) We are told, for example, that the modern world has not achieved the proper relation between faith and reason—which is like telling a paranoid that he has unreasonable fears. It may very well be true that one cannot have a sound theology without a proof for the existence of God; but in the concrete, this whole area is a terribly confused one, and, we could more profitably have a whole book that did something toward working out rather than pointing out a problem that we know to be there, to be important, and to need solving.

In the area of social and political thought, Father Murray has always been with and even ahead of his times. This is just where the Christian intellectual has to be: there is no great attraction for secular thinkers in hearing that Christian thought is open to evolution, depth psychology or whatever, when in fact this openness is reluctantly acknowledged—or worse, naively proclaimed—only after others have paid dearly in the struggle to force these ideas into the open. And now that fresh winds are blowing in the Church, especially in the concern with understanding modern thought, we are susceptible to a great self-deception that Father Murray has been able to recognize: it is not enough to understand "modern" thought, because we have already moved into a new era (for which he uses the ugly but descriptively paradoxical label "post-modern") and to apply the categories of one age to another can be seriously misleading. In *The Problem of God*, Father Murray does not appear to me to have practiced what he has so insightfully preached.

Not too long ago, I had the pleasure of hearing Father Murray at a public lecture. It was he, I thought, who led me to ask the question this way: Must those who do not acknowledge the existence of God be either ignorant or perverse? Or, to put it another way, do those of us who are theists have brighter intellects and/or purer hearts? This seems to me a question of great and present import and, as he points out, not a matter of just

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syllogism or style, but of human experience. In the present case, I do not find that Father Murray has done justice to it. Though fortunately, what he does do justice to is well worth the price of the book.

Forging a Class

The Making of the English Working Class. By Edward Palmer Thompson. Pantheon. $15.

by Alice Mayhew

IN A LONG, impassioned and opinionated work, Professor Thompson of Leeds University, *The New Left Review* and *The New Reasoner* lays down before us the enormously complicated history of the Radical movement in England from the 1790's to 1832 (the French Revolution to the passage of the Great Reform Bill) and argues that these years of intense struggle, wretchedness of the laboring poor, liberal heroics and counter-revolutionary tyranny saw the English working class "made." His thesis is that the industrial class*es* were, at this time, merged into *one* by the dual recognition of their common interests and of their identity as against other classes. The theory is debatable. It has been argued that this amalgam was no true class (the Industrial Revolution was not completed by 1832); that a labor movement was begun and political organization initiated, but no cultural sub-strata as yet existed.

Professor Thompson, however, makes a powerful case for his side. He takes a simple and demonstrable idea of class formation: it occurs when men, "as a result of common experience (inherited or shared) feel and articulate the identity of their interests as between themselves, and as against other men whose interests are different from (and usually opposed to) theirs." The new industrial classes, catapulted out of their old (feudal) way of life, more "humanly" comprehensible, jammed into cities, settlements, mills and mines, thrown out of their quasi-democratic villages and skilled jobs, and off their land, were languishing in excessive misery. Led by educated and self-instructed artisans, pamphleteers, middle-class intellectuals and reformers, English Jacobins, and various trade unionists and corresponding societies (all thrown together, as Radicals), the working class came to be. If their leaders were not always exactly of them, Professor Thompson insists that the masses firmly backed and protected them.

He is bitter, furthermore, against those who view this process in a strictly empirical way—in terms of economic take-off, adjustments to technological advance, rate of growth—instead of as a period of "exploitation," persecutions, failures of civil liberties, popular misery and courageous dissent. But he goes even further than former orthodox theorists such as Barbara and J. L. Hammond, among others, on whom he relies heavily for reportage. Though their approaches are similar—humane, political, and responsive to the totality of the human experience—he rebukes them for Whiggish and Fabian tendencies. Professor Thompson is not afraid of a little revolution.

Professor Thompson makes his point on class evolution with an elaborate dramatization of the appearance of "Them" and "Us" attitudes around this time. These words were uttered, by the 1820's, widely, and with pride and resignation to the battle. In the 1790's, the revolutionary impulse had been strangled by repressive measures and British respect for the working law; Pitt became an arbitrary and repressive politician, and the working people were "thrust into a state of *apartheid* whose effects can be felt to this day." (Richard Hoggart's *The Uses of Literacy* is required reading on those effects which endure still.) By the 1820's, from both literate and illiterate pens, the sense of isolation and hostility against "Them" was leaking—". . . afour hus Labring Peple Cant Stand it no longer/dam all Such Roges as England governes . . . We will soon bring about the Greate Revolution then all these greate mens heads gose of," was the warning of one unknown writer, while Mr. William Hazlitt, no less seriously, attacked "Them" with venom for—". . . the taxes they vote, they afterward devour. . . . Our State-paupers have their hand in every man's dish. . . . They live in palaces, and loll in coaches . . . their dog-kennels are glutted with the food that would maintain the children of the poor."

The mill and the whole syndrome of the Industrial Revolution was shifting and hardening the lines: the middle and upper classes cross-fertilized landed and commercial wealth; the Radicals fought for Parliamentary seats and formed alliances with the Whigs; the working classes arrived at class mutuality. But the working class was to be deserted (with notable exceptions) by the middle class, and one of the most startling developments was that by 1832, with the passage of the Reform Bill which granted the voting franchise on a highly selective basis, the middle-class freeze was completed. As for intellectuals, Radicals and idealists, they were forced to choose sides.

In a superb chapter on religious movements, Professor Thompson shows the extremes of festered hopes for "Zion," the millenialists and Joanna Southcott, and the braking passivity of Methodist preaching which, ironically, both attracted the poor to it while it reinforced the conventional teaching of the blessedness of poverty and encouraged the convenient doctrine that the working classes must be kept poor to be kept industrious. Methodism provided the inner compulsion when it was added to a welter of manufactured resignation and sexual repression. ("Avoid all manner of passions," advised Mr. Wesley.)

The Liberty Tree got planted in spite of the desperation of the Establishment. Inspired mainly by Tom Paine's *Rights of Man*, and led by men like Thelwall and Cobbett (on whom Thompson writes superbly well), Francis Place (whom Thompson's neo-Marxist view finds overly inhibited by correctness and constitutionality), plotters like Despard, orators and journalists, Hunt, Richard Carlisle, writers, Hazlitt, Blake, cartoonists and satirists, Henry Mayhew, and countless others (many of whom went to the gallows or to prison), the poor and the displaced

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fought back. With political development came a gradual assumption of self-conscious attitudes. As their organizations were forced underground by the panic of those who gazed with despair on their cousins across the Channel, they developed that taste for secrecy, intrigue and hostility to authority which was intrinsic to their existence. When the local yeomanry rode down the peaceful crowd in the Peterlee massacre, the die was cast. Even the conservatives felt guilty; the people had won the right to hold public meetings.

Professor Thompson's themes are the culture of the working-class, mass movements, the specific history of three representative groups (weavers, artisans and field workers), the leaders (largely demagogues and martyrs), the growth of class consciousness, and a sociological analysis of the displaced who were being hammered from above and below into a proletariat. He has a stunning amount of knowledge about the habits, ways of life, ambience, literature, popular satire, ballads, and the general looks of those days and he places them in juxtaposition to suggest the unity that was to be found in the dawn of the people's con-commitment. (Even for the Luddites, gangs of machine-breakers, there is impressive evidence of social and political intent. Contrary to most other critics, Thompson claims they were not simply anti-technology, but selectively obstructionist.)

In the end, therefore, Professor Thompson sees a spiritual gain out of the Industrial Revolution which added something to human realization. In spite of bias, this book is a magnificent and valuable achievement. And, after all, what are Professor Thompson's prejudices? He cannot choke down his anger at the oppressors; he takes a romantic and affectionate attitude toward the revolutionaries; he despises the market place when it runs roughshod over the people; and he loves those poor people and their leaders who had, "nourished, for fifty years, the Liberty Tree. We may thank them," he concludes, "for these years of heroic culture."

Chaos in Welfare

The Wasted Americans. By Edgar May. Harper & Row. $4.50.

by Nat Hentoff

IN 1960, Edgar May, then a reporter for the *Buffalo Evening News,* masqueraded for a time as a welfare worker. The resultant newspaper series was awarded a Pulitzer Prize and spurred May to engage in the additional travel and research which have led to *The Wasted Americans,* an angry description of the circles of failure into which more and more of those on public welfare are being drawn.

May is weak in his analyses of the changes necessary to prevent "the other America" from growing and from becoming a dead end for those already quarantined from the rest of us. He is, however, useful in those chapters which specify what is wrong now.

In a section, for example, on the Aid to Dependent Children program, May points out that "only eighteen states give their families enough money to meet minimum standards of health and decency."

In what may be the most revealing part of the book for concerned but unoriented readers, May underlines the present lack of qualifications of the nearly 35,000 public welfare caseworkers in the country. There is only one caseworker with full professional training for every 23,000 relief recipients. Moreover, "one out of three caseworkers in public welfare did not complete an undergraduate education" and "only one out of ten has taken any graduate courses in social work." Turnover is huge, and to further compound the chaos, in many areas high administrative posts in public welfare are part of the spoils system.

Even if more of the "turnstile guardians," as May calls them, were qualified, the excessive case load per worker and the quicksand of paper work make it impossible for most of these quasi-professionals to do more than check in with their "clients" a few times a year—if that often.

A corollary national disgrace are the places in which the poor live. Since there isn't nearly enough public housing, more than a billion dollars in welfare funds was paid to freely enterprising landlords in 1962. As May says, this "largest unpublicized government subsidy in the nation" serves in large part to quietly subsidize slums.

May goes on to emphasize another problem of many of the poor—their ignorance about birth control. It is an ignorance sustained by the policy in most welfare departments of refusing to provide this information out of fear of political reprisal from the Catholic Church. The core of this issue, as May correctly insists, "is not to have a Catholic doctor, nurse or welfare worker advocate anything foreign to their personal convictions. The issue is not to force on welfare recipients a birth control device that their conscience prohibits them to use. The major issue is to make information about all methods of family planning easily available to all Americans." *If they want it.*

Having completed his tour of what Gunnar Myrdal calls our "largely mute" poor, "the least revolutionary proletariat in the world," May offers a number of recommendations. Among them is raising the pay of welfare workers (with the Federal government providing a larger share of their wages). He also asks for the setting of Federal standards of caseworker functions.

Central to May's reform proposals is that caseworkers have the time and the background to allow them to attack the difficulties of an entire family. For this to happen, of course, will require larger appropriations to permit lower case loads and greatly intensified training of caseworkers.

Where, however, are the recruits to be found? May points out that among the 1962 National Merit Scholars, only one out of 1,041 students listed social work as a career choice. As May recognizes, guidance toward service careers has to start early in school; and there has to be much more Federal scholarship money for youngsters—particularly, as May does *not* recognize, those from low-income and minority group families—who can be motivated.

May does not make it nearly clear

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enough that welfare problems cannot be separated from the political solutions to the growing structural unemployment which keeps adding to the welfare rolls. For example, without a vastly increased program of badly needed public works, the number of the poor will multiply far beyond the number of qualified caseworkers. Without a realistic Medicare bill and significantly increased social security, unemployment compensation and similar payments, reforms of professional social work staffs and practices will be insufficient.

Without a radical revision of our public education system, new generations of the permanently dependent will proliferate. Here May makes the serious Conant-type error of advocating that many more of the poor —and this means many more nonwhite children in the central cities —be shifted to vocational education. Unwittingly May is thereby proposing permanent class division. His concept is a reinforcement of the current, middle-class-oriented "track system" in most public schools—a system which takes no account of the potentialities of slum children to grow in many different kinds of directions if they have teachers who recognize the strengths as well as weaknesses of their backgrounds and life styles. And if they have teachers who have confidence in these children's *capacities*.

The answer is not to further segregate slum children in terms of curriculum, but to raise the teaching levels and provide a comprehensive education in *all* schools. (There are, after all, many middle-class kids who might prefer to become electricians rather than go to college.)

May also ignores two vital areas concerning the future of "the wasted Americans." One is the still small but growing movement by a new genre of social workers to organize the poor to act for themselves to bring about social, economic and political change. As the disaffiliated learn that they have the resources of power—and votes—to effect change in the way they live, they will be able to regain the self-respect which traditional welfare "colonialism" cannot give to the poor.

Finally, *The Wasted Americans* does not place enough stress on the fact that whatever is now being provided the dispossessed—however inadequate the services are—ought not to be regarded as alms. Even if we do attain as full employment as is possible in an era of automation, we are bound to have millions of people from now on getting some form of public assistance. And if economist Robert Theobald turns out to have been prophetic, we may yet have a guaranteed annual income for all Americans. But to most of us, both the poor and the anxiously affluent, public welfare still connotes "hand-out."

In the 1957 book, *Decisions About People in Need*, Keith-Lucas pointed out: "There is behind the present welfare picture a long tradition of English and American 'Poor Law,' of the equation of poverty with moral inferiority, and of fear of according rights to paupers who might thereby find some satisfaction in dependence on government aid."

Many more of us have to learn that people do not *choose* to be poor and that they do not—or rather, should not—abdicate any of their rights when they are poor. As it is now, the mute poor allow any number of administrative officials, let alone the police, to treat them as if they were considerably lesser citizens than the rest of us. If this attitude, both by and toward the poor, is not changed, many who are in the working class and the middle-class may eventually discover that they too have become the victims of "the equation of poverty with moral inferiority"—as automation engulfs them too.

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